

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 23, 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, Solicitor Matheney

VISITORS: Kelly Estes, Kimberwick Ct.; Elizabeth Gross, Sheerbrook Dr.

The Mayor called the meeting to order and led the Pledge of Allegiance. The Fiscal Officer read the roll. **Porter made a motion to approve the minutes of the September 9, 2024, Regular Council meeting, seconded by Cavanagh. Voice vote – ayes, all. Motion carried. Porter made a motion to approve the minutes of the September 16, 2024, Special Council meeting, seconded by Canton. Voice vote – ayes, all. Motion carried.**

VISITORS: Kelly Estes, Kimberwick Ct., relayed that she appeared before Council last month to introduce the formation of the Mayor’s Committee for Safe Bicycle and Pedestrian Transport. While seeking feedback, she heard there was not a lot of support. Estes asked for feedback and suggestions from Council. Bell asked why she had the impression there was no support. Estes said that is what she was told and asked if there was new information. The Mayor said the issue boils down to whether this group should be made into an ad hoc committee where it is under the thumb of the Village or continue without Village involvement. He is in favor of Village involvement, but an issue the group is running into is that they would like to use the Village newsletter to announce their meetings, use Village Hall, etc. and to do so they need to be an ad hoc committee. The Mayor further explained that he was not ready to make them an ad hoc committee because he wanted to see how it progressed. Thus far, there have been two meetings, and he wanted to see what the response was and if the community was really interested. The Mayor thought it was a necessary committee because there are issues coming up. He explained that when he determines it will be a good committee, which he thought it was, he would make it an ad hoc committee similar to the Park Committee where there are certain things that are done to formalize the relationship. Porter verified that the Park Committee was a formal committee of the Village. Berger asked for clarification from the Solicitor defining ad hoc committee. The Solicitor explained that there are certain standing committees in the Village that include Building, Finance, HR, Properties, Public Utilities, Safety, and Streets. The Park Committee is separate with a separate ordinance and is not a standing committee of Council since it has other members that are appointed for certain terms. The committee chair is a Council member, but there are not two members of Council on the Park Committee. Cavanagh questioned this, and the Solicitor explained that the second member of the Properties Committee simply attends the meeting and is not a member. Regarding an ad hoc committee, the Solicitor stated that it is usually for a specific purpose for a limited duration. Once the purpose has been completed or met or the duration is over, it expires.

Berger asked if a member of Council would chair the ad hoc committee. The Solicitor said this would not have to be the case. Section 220.05 of the Codified Ordinances specifies that the Mayor, with Council’s approval or Council, may appoint a special or ad hoc committee as are deemed necessary provided that matters referred to or pending before the standing committee may not without consent of its members be referred to or considered by a special committee. In other words,

the Streets Committee, for example, could not delegate something they are charged to do without Council approval. The ad hoc committee does not have to be manned by a Council member. The Park Committee is different with a separate ordinance that defines how many members it has and their terms as well as that a member of Council is on the committee. Canton asked for the Solicitor's suggestion, and she recommended making the group an ad hoc committee since legislation had not been prepared to create something like the Park Committee. The Solicitor noted that Estes was seeking feedback from Council because she heard there was no support, and it sounded to the Solicitor like that may not be the case.

Galicki offered that if the current committee wanted the support of Village assets like advertising in the newsletter, they would need to be an ad hoc committee. The Solicitor clarified that they would somehow be approved by Council. Homeowners' Associations (HOAs) are permitted to use Village Hall and are placed on the calendar when they do so. Galicki thought that when the Mayor originally introduced the committee to Council, the Mayor's idea was for it to be an informal group of citizens who were interested in the matter and would investigate various aspects, ultimately approaching Mayor and Council with their recommendations or findings of fact. He did not know if this had changed or what the full intent of the committee was and asked the Mayor to articulate the desired end state. The Solicitor explained that in her experience, ad hoc and special committees are formed and tasked with researching a specific issue and providing a recommendation to Council. Estes offered that the committee created a list of duties. Galicki said his concern was whether this was an informal group or one that would become a sanctioned committee with Village resources available to it. He wanted to know the desired end state, goal, and tasking of the committee. Bell thought an ad hoc committee would be a perfect fit for the group and that what they were trying to achieve is important. He would be interested in hearing about their exploration of the matter and would appreciate having more people working on the singular issue.

Berger asked if ad hoc committees had a limited duration, and the Solicitor responded that it can be limited but does not have to be. The Fiscal Officer offered that the Village had an ad hoc committee for the Village's 100th celebration. Once it was over, the committee simply dissolved.

Cavanagh asked Estes what the stated goal of the committee was. Estes provided the following list: to develop a safe bicycle and pedestrian access plan, engage and learn from the community about bicycle and pedestrian safety needs; make recommendations to the Village Council on the selection of bicycle and pedestrian projects to be submitted for state and federal funding opportunities; work to promote bicycling and walking as safe and healthy modes of transportation including Safe Routes to Schools; and to assist in the planning, operation, and maintenance of bicycle and pedestrian facilities in the Village.

Porter recalled that the Mayor is a member of all standing committees and can also be a member of the ad hoc committee. The Solicitor did not think this was accurate per the Ohio Revised Code (ORC). The Fiscal Officer explained that the Mayor is not a voting member of committees. The Solicitor added that the Mayor just attends the meetings.

Regarding the duties outlined by the committee, Berger asked what timeframe they were considering. Estes said they hoped to meet monthly on the last Friday of the month. They would like to use Village Hall and advertising would be helpful so they can hear all sides of the equation. She did not have an end point in mind since it would depend on how it evolved and what data surfaced.

Berger asked if a motion was needed to create the ad hoc committee and the Mayor asked Berger to slow down because he did not think they were ready for this yet. The group has a meeting Thursday and he wanted time to talk to them. Berger did not hear reluctance by Council to form a committee if there was enough interest from the community to go forward. He thought they would have Council's support and if the Mayor wanted to wait to see what the next meeting looked like, that was fine. The Mayor said there had been two meetings where six people attended each one. He wanted to see. They will be meeting Thursday and have an event on Friday and Council will be meeting in three weeks. The issue that came up was that the group wanted something in the newsletter and in an eblast and they were not allowed to do that because they were not an ad hoc committee. The Solicitor concurred. The Mayor concluded that the group may be back for the first meeting of October and want to be an ad hoc committee. Estes asked what the Mayor was looking for at the next meeting; whether it was a certain number of people he hoped would attend or a certain subject he wanted them to discuss. The Mayor responded that frankly, they were there, but he just wanted to make sure they were comfortable with operating under the Village's guidelines. He did not think there was an issue at all. He did not like to spring things on Council and would prefer to take his time. Porter suggested that if the group had an ad hoc committee of seven people, with the Mayor being one as a Village representative of sorts, they could look into the issue and within a year's time, generate a three-to-four-page report about Safe Routes to School, the committee's recommendation for Village action, how it will be financed, and the envisioned timeline. The Village will be paving Bell Rd. east in 2025, and the west portion will eventually come up again. The bike paths and paving of the road is something that might work nicely together.

Galicki advised that historically, this issue was investigated, and the resulting information is available in Village archives which might be helpful. Additionally, the ORC has strict guidelines about paths to include the required width and buffer zones. If the paths go through private property, there will be concerns and with the way the laws are written with regard to sidewalks, funding is the responsibility of the property owner who then is assessed. He cautioned that as the group goes forward, they may find some issues with a big impact on the community. People who do not have to pay may support them and those who have to pay may not be so excited. He offered that the group could contact the Fiscal Officer for the previous research materials. Cavanagh added that in 1992, she worked hard to get a bike path, but at the final bell, it tanked. Estes asked what the obstacle was, and Cavanagh recalled that it crossed Chillicothe Rd. There were four lanes coming together in the intersection and traffic from new subdivisions, etc. Many people were for it, but having been a runner on Bell Rd., she did not know how it could be made safe with the volume of traffic. She had some real concerns. Cavanagh clarified that it was primarily for bike riders, and Estes responded that it was essentially for anyone who is not in a car. Cavanagh also noted the issues involved with how it gets financed and maintained. From previous discussion by Council, Galicki recalled that the path minimum had to be 11-feet wide and required two to three feet on either side that is free from obstacles. A big push-back may come from property owners who are faced with losing 14 to 15 feet of their front yard to make a public path. Galicki verified with Cavanagh that the last measure was brought on the ballot for approval, and Cavanagh said it was defeated. She was disappointed at the time 32 years ago but relayed current observations of unsafe situations with bike riders on Bell Rd. east. Cavanagh concluded that getting this done financially and making people moderately happy would be very tough. Porter added that a bike lane on Bell Rd. may entail covering ditches and piping them, which would have a storm water impact on residents downstream. It is always better to have a ditch than a covered pipe for stormwater management. He thought the group has a great idea, but there are practicalities that will need to be addressed in order to go forward.

Elizabeth Gross, Sheerbrook Dr., explained that they are in the preliminary stages and the first step would be to look at grants for the planning of projects. They have members who are savvy in researching such options.

The Mayor concluded that they would be back for the October Council meeting.

Cavanagh asked Estes and Gross to think how they would cross Chillicothe Rd., if at all. It is a nightmare for the police. The Chief relayed that in planning the new traffic signal, infrastructure was installed to allow for crosswalks. It would be an upgrade, but not an astronomical cost. Cavanagh questioned the safety of crossing even with the crosswalks. Secondly, 25 to 30 years ago, the Village opted to pay more to pave the shoulders. This was after the failure of the path measure. Even with the shoulders, the traffic is close on a very busy street. She asked them to think about this.

MAYOR'S REPORT: The Mayor reported that 31 of the 32 members of the Chagrin Valley Dispatch (CVD) met last Wednesday and the vote was 21 to 9 to implement the new funding formula. For the Village, it is an increase of 48%. The new bill will go from \$59,000 to a little over \$88,000. Porter asked if it was a good time to look around for different dispatch services. The Mayor said no. Chagrin Falls Village, Chagrin Falls Township, and South Russell voted against it. Hunting Valley, Bentleyville, and Moreland Hills voted for it. These six municipalities make up Chagrin Valley Fire Department (CVFD). He doubted that the Village would tell the residents, most of whom live on the west end of the Village, that they will be getting their ambulance and fire from someone else. The Mayor thought the Village will go wherever Chagrin Falls goes, and he did not think they were going to go anywhere. The Village has a contract with CVFD. He thought they should see what changes would be made now that the funding method is in, and the Village has plenty of time. On the other hand, if the Safety Committee wanted to start approaching Bainbridge, Russell, and Geauga County, it is never too soon to get at it. However, the Mayor did not think the Village would make any changes. He thought they would see some adjustments that would probably come down the pike. Galicki questioned the Mayor's statement about waiting to see what changes would be made and asked what changes he anticipated. The Mayor said that something would have to be done for Chagrin Falls Township because their average call would cost \$417. They had 58 calls last year, but when they are paying 1/32 of the administrative costs, it comes out to \$20,000 or so. The Mayor also thought they would see changes with the channels. He thought there would be an effort to fine tune things. Cavanagh asked if this would change the equation, and the Mayor said he thought a little bit of this was also possible. The entities that voted against the proposal were mostly smaller communities. Some municipalities had increases of \$200,000 and voted for it. He concluded that the Village should just see how it goes.

The Mayor reported that last week, the yearly park walk took place with Pete McDonald, Western Reserve Land Conservancy (WRLC). The Mayor, McDonald, Martha Bistriz, and Tim Young walked it, and everything looked pretty good. They discussed the burn.

The Mayor met with a Northeast Ohio Area Coordinating Agency (NOACA) representative. For the Village's \$800,000 grant, the Village can do anything it wants along Bell Rd. dealing with transportation. He told them he wanted a path from Gurney to the park on the north side of the road. The representative told the Mayor it was feasible, and the Village could also do a path on the east side of Bell going from Chillicothe Rd. to wherever \$800,000 would take it. The feeling from NOACA was for the Village to come with good ideas because there is still plenty of money floating

around. Cavanagh asked if the \$800,000 would go away at some point, and the Mayor did not think so but would find out. Porter thought this project would be appropriate for an ad hoc committee to consider. Berger asked if the \$800,000 could be used towards the crosswalks at Chillicothe Rd. and Bell Rd., and the Mayor said he would think so. Berger continued and said that even if the Village did not do anything with the path, they could take advantage of the money by installing the crosswalks for future path development. The Mayor said his vision would simply be a path from Gurney to the park which would be more than \$800,000 because it would have to cross Emerald Lake's creek, and the bridge would be expensive. He added that there was a possibility of having the county change the bridge around. In an ideal perfect world, the Mayor also wanted to get water up from Laurel to and behind the gas station. If they were doing a path, this would be the time to extend the water lines. He thought he would be asking for an ad hoc committee on October 14th.

The Mayor provided an update on the tree planting by Davey Tree around the wetland they created. He thought it would look better in a couple of years.

Regarding the POW/MIA Flag, he researched and found that the Village had been flying that flag off and on since the 1990's according to former residents. He spoke to Mr. Howard about this.

There will be a walk to school event on Friday, September 28th from Chagrin Lakes to Gurney School. The Chief advised that this occurred last year as well, and the police escort the kids.

The Mayor reminded Council about the donuts with Tim Alder event that will be Monday, September 30, 2024, from 7:00 a.m. to 10:00 a.m. and luncheon at 11:30 a.m.

Chagrin Falls High School seniors will be conducting Philanthropy Day and offered to do yard work for Village residents. A notice to this effect was in the fall newsletter.

The Cats Den Garden Club will be planting 1,000 daffodils on either side of the new Rarick Cemetery railing.

FISCAL OFFICER: The Fiscal Officer reported that preparations are underway for the Fall Festival with the ordering of food, etc.

Regarding the discussion surrounding CVD, the Fiscal Officer will be sending out to Council the fire and ambulance research that was done a few years ago from Russell Twp. and Chagrin Falls. It was extensive research and should provide insight into what would be necessary to change fire service.

All but one employee completed the Form Fire documentation needed to shop for health insurance for the renewal happening December 1st.

Cavanagh thanked the Fiscal Officer for everything she is doing for the Fall Festival. The Mayor noted it was another record month for income tax. The Fiscal Officer explained that the Village must repay \$10,000 to a resident who filed his/her local tax with the state. Not many people do this, but she is always cautious about this occurring. The Fiscal Officer explained it would be a large undertaking to switch from CCA to RITA, and when she researched the costs a few years ago, CCA offered more services at a better cost than RITA. She said taxpayers can always contact her if they have a problem or question. Canton stated that he received a phone call from a Village business that is disgruntled with CCA. He referred the matter to the Fiscal Officer.

FINANCE COMMITTEE: Berger reported that the minutes of the previous meeting were distributed. The next meeting will be on October 17th at 9:00 a.m.

Berger made a motion to acknowledge receipt and review of the Credit Card Report of September 23, 2024, seconded by Galicki. Voice vote – ayes, all. Motion carried.

The Mayor clarified the significance of the July 1, 2025, date with regard to the Ohio Public Works Commission (OPWC) grant for the Hemlock culvert. Berger advised that this is the date the project can start.

Referring to the Fiscal Officer's report, the Mayor discussed the CVD channel cost. He stated that the average channel cost is \$392,000. The Village is grouped differently in that it is 6% of its channel, but 6% of \$392,000 is not \$88,000. This is because the cost of the Village's channel is different. Galicki thought the number of entities sharing a channel is based on the capacity of the channel for the traffic. The reason the Village is grouped with six or eight others is because the Village is largely with smaller communities. There may be large communities with their own channel due to the volume of use. The Chief said this is correct. Galicki verified it was not due to any efficiencies per se, just efficient use of channel availability. The Chief concurred that the Village is grouped with communities with lower call volumes. Some communities have multiple channels. Galicki noted that this would mean more resources would be necessary for them and wondered why their administrative costs would not be larger. Berger reiterated that the administrative costs were for the CVD Director, Finance Officer, financial people, and training officer. The cost of the dispatchers is allocated based on the channel use as an operating cost. Galicki offered CVD has added an assistant, a Finance Officer, as well as another one or two positions resulting in the increase of the administrative staff. Given this relatively new increase in administrative personnel, should the Village be considering if this is a good return of investment for the Village?

SOLICITOR: The Solicitor revisited the definition of ad hoc. Specifically, it is concerned with a particular end or purpose or need. It means for this, or for this situation. One thing to keep in mind is that if the ad hoc committee is formed, they will have to take minutes of their meetings, and the meetings will need to be sunshined like any other committee.

Regarding food expenditure, there is an ordinance pertaining to when Village funds can and cannot be used. There is a complete list of Village sponsored events and a catch-all. It specifies the Fall Festival, Trash Day, Veterans Day, Cops and Kids Fishing, etc. The retirement party for the Street Commissioner is not one of the Village sponsored events nor is the Park Committee Appreciation Lunch. Two motions will be required to approve those expenditures, specifically to determine that it is necessary to further a public purpose and not arbitrary or unreasonable. These are ordinances and it is from the State Auditor. The motion language would be to adopt Council's determination that the expenditure of Village funds for the food and drink for the September 30th retirement party luncheon for the Street Commissioner is necessary to further a public purpose and is not manifestly arbitrary or unreasonable. Similar language is required for the Park Appreciation Luncheon, in that a determination is made that it is to further a public purpose and not manifestly arbitrary or unreasonable. She reiterated that the Village has had this ordinance for a number of years and has amended it. Additionally, it is a State Auditor requirement.

Porter made a motion that Council approve the expenditures for both the Fall Festival and for the Street Commissioner's retirement party with a specific finding that the expenditure of such funds is not manifestly arbitrary or unreasonable in these particular instances and serves a public purpose, seconded by Cavanagh. The Solicitor corrected that it is not the Fall festival but the Park Committee Appreciation for the Fall Festival. Voice vote – ayes, all. Motion carried.

The Solicitor asked whether the Donuts with Tim event had been approved. The Mayor said no but it is part of the appreciation for the Street Commissioner. The Solicitor clarified that it was part of the luncheon, and Porter said it is. **Cavanagh made a motion that we approve the donuts with the retiring Street Commissioner, donuts with people and coffee from 7:00 a.m. to 10:00 a.m. on September 30th and that it serves an obvious public purpose and is not manifestly arbitrary or unreasonable, seconded by Porter.** Galicki asked if there was a cap on the dollar amount. There was discussion about amending a previous motion designating \$700 for the Street Commissioner's luncheon, increasing it \$50. The Fiscal Officer advised that they needed to complete the motion on the floor first. Porter concluded that the cap for this motion would be \$50. The Solicitor attempted to clarify, and Cavanagh and Porter concurred that it was not to exceed \$50 for the donuts. Voice vote – ayes, all. Motion carried.

STREETS COMMITTEE: Bell reported that an invoice from Horizon Excavating needed Council's ratification. This pertained to the storm water management work done in the backyards of the homes on Chillicothe Rd. **Bell made a motion to ratify the invoice from Horizon Excavating for \$16,825 for the storm water management trenching done on Chillicothe Rd., seconded by Porter. Voice vote – ayes, all. Motion carried.**

Bell stated that the lowest bid for the Bell Rd. East Culvert Replacement Project came in at \$118,430 from CMG Contracting.

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

Porter asked if a joint meeting with HR Committee was needed to discuss the proposed foreman position. Cavanagh explained that the HR Committee decided to let the new Street Commissioner consider the matter. The term, crew leader, was discussed instead of foreman. Cavanagh thought a joint meeting would be useful. This will occur October 3, 2024, at 9:00 a.m.

BUILDING COMMITTEE: Bell advised that the Building Committee met and reviewed the legislation for the park pavilion rental. It is acceptable and are ready to move forward with it. The next meeting is October 10, 2024, at 8:00 a.m. in the Building Department office.

POLICE CHIEF: The Chief addressed an IT issue that impacts the Building Department Administrative Assistant's use of the Council Chambers monitors for the boards. He obtained a quote in the amount of \$1,536.98 to upgrade the system to allow her to stream to the monitors. It would be a separate wireless connection. When the Village went to ADP and the system was locked down, it was no longer possible to cast to the monitors. Berger asked if the expense would come out of the Building Department, and the Fiscal Officer said it would be from the General Fund. **Berger made a motion to approve the expenditure by the Fiscal Officer, Mayor, and the Police Chief of not to exceed \$1,600 for the wireless connection for laptop to the smart TV's in Village Hall, seconded by Galicki. The Mayor commented on the value of the monitors to the boards. Voice vote – ayes, all. Motion carried.**

SAFETY COMMITTEE: Canton stated that the committee will be meeting October 17th at 9:00 a.m.

HR COMMITTEE: The HR Committee met on September 13th. The positions of foreman versus crew leader were discussed, and the committee decided to allow the new Street Commissioner to consider the options. The committee also discussed callouts and safety in that it is unsafe for police and snowplow operators to work for 24-hours straight. A maximum of 16 hours was determined, and adequate staffing was discussed.

Regarding the yearly raises for employees, the committee reviewed that State Employee Relation Board (SERB) report but will wait to find out about the increase in health insurance premiums.

PROPERTIES COMMITTEE: Cavanagh reported that the committee met on September 13th and the minutes were distributed. Cavanagh conveyed that she is tired of the Fall Festival, but the Village seems to love it. Volunteers have been secured. She expressed great disappointment in that there will be no hayrides, but thanked Ted Kruse for all he had done over the past 15 years to make the Fall Festival something people look forward to attending.

The Street Commissioner told the committee that there are parts of the Service Department building that need to be replaced. The committee will look at this matter.

Canton thanked Kruse for his contributions to the Fall Festival and looked forward to his continued service on the Parks Committee. The Mayor clarified that Chagrin Pet and Garden will provide a big tent and cider press, which Kruse will run. However, he will not be allowing the public to operate the press as in past years.

Cavanagh asked the Fiscal Officer for the tax-exempt status of the corner property, and the Fiscal Officer advised it was currently at the state level for review and final approval.

PARKS COMMITTEE: Cavanagh stated that Mr. Howard attended the Parks Committee meeting and discussed the POW/MIA flag. Judy Harvey also attended the meeting with Kelli Jarzembak, Jarz Creek Farm. She wished to add her monarch butterfly display to the Fall Festival. The Fall Festival banner was to be installed that day. Cavanagh offered a big thank you to Libby Pike Starkey who has set up all the vendors, contracts, insurance, etc. She is a great member of the committee. She hoped for no rain for the Fall Festival.

PUBLIC UTILITIES COMMITTEE: Berger reported that the minutes from the last meeting were distributed. The next meeting is scheduled for October 18, 2024, at 8:30 a.m. Porter stated that a connection agreement would be sent to the Village for CEI to change the meter on the Police Department. The significance is that it will enable the solar panels to be online. He further explained that his goal would be to have the electrical upgrade done before CEI switches the meter. The Chief reported that he received the signed agreement from the electrical contractor and will get the meter switched soon. Porter responded that it would take CEI a few weeks to get to the meter change out. He asked the Fiscal Officer to provide data regarding changes in the Police Department electric bill with the solar panels.

ORDINANCES AND RESOLUTIONS:

Bell provided a third reading of an ordinance amending Chapter 646 Parks of the Village of South Russell's Codified Ordinances. Bell made a motion to adopt, seconded by Cavanagh. Galicki

referred to the section pertaining to reservations to use the park pavilion, paragraph (c), where it states, “the Mayor who may consult with the Village Police Chief and/or the Village Street Commissioner before making a decision.” “May” indicates that he can but does not have to do so. “Shall” indicates that he will. Galicki noted that this verbiage gives the Mayor total control to decide without necessarily conferring with the police or others about potential impacts. Cavanagh said that the changes restricted the usage and made it more specific as to what the Village was doing with the park. The Mayor explained that it did a couple of things. It eliminated Council having to deal with petty stuff like someone having a birthday party with 50 kids. He suggested changing the verbiage to which Galicki referred to “shall” instead of “may consult.” Porter offered that there may be no need to talk to the Police Chief or Street Commissioner on a particular reservation, so if needed he could speak to one or both depending on the event. Berger said that the clause only applies if one of the six conditions under Section (b) is checked on the application. Galicki said that brought up an excellent illustration of how this was almost abrogated. The Mayor recently emailed Council regarding a request for the use of the pavilion by 50 people, but it was during hours the park was closed. Bell indicated that the legislation contains the rules and regulations. Galicki said he understood, but pointed out that nevertheless, this happened. He did not think it was a good idea to cut the Police Department out of the picture with respect to large parties using the park. Berger noted that if any of the six conditions apply, the suggestion is that the Mayor shall consult with the Police Chief or Street Commissioner. Galicki thought this would be a good idea. Berger did not have a problem with this. Galicki just did not want the misuse of a word with a different intent that would give an entirely different flavor of the ordinance. Berger asked if the ordinance could be amended at this point. Berger noted that the amendment would be for the fourth line in Section (c) to read, “to the Mayor, who shall consult with the Village Police Chief and/or the Street Commissioner,” etc. Bell clarified that this means that the Mayor must ask every time there is a bounce house. The Solicitor concurred but advised that the Mayor’s decision is still within his discretion even though it is mandated that he consult with the Street Commissioner or Police Chief. It is the atypical requests that come to Council, which was intentional. Galicki expressed concern about the Police Department being cut out of the park usage with large groups. The Mayor suggested leaving the ordinance as is, and Porter concurred. The Chief also concurred and explained that the reservations are entered into a system that is shared with the Police Department, so they are cognizant of the events. Regarding the request made to the Mayor to use the park after dark, he explained that he sent it out to Council to ask if they approve of it because it would be over 50 people and after dark. In the meantime, the requestor found a different location. The Solicitor pointed out that the ordinance being considered is not the ordinance that is currently in place. The current ordinance states that with requests for groups of 50 or over require the Mayor to notify Council and there is a certain time for objections. With the new legislation, the park rules may not be abrogated. Suspending park rules must go to Council. Perhaps the Mayor included that it was after hours in his notification to Council, but he was bound to come to Council because of the 50 people or more. Galicki added that in this instance, there was only a verbal request to the Mayor for the after-hours party and not a formal request through the Building Department. The Mayor acknowledged he was aware this was a big request. The Fiscal Officer added that the Village receives requests from the sport teams wanting to do nighttime events, and they are usually told that the park closes at dusk, so it is a no. Porter brought up a scout camp out that occurred, and the Fiscal Officer explained this was soon after the park opened, and the matter went to all of Council for consideration. She asked for clarification about whether the original or amended legislation was being voted on and Bell indicated it was the original. Roll call – ayes, all. Motion carried. **ORD 2024-86**

Bell introduced an ordinance awarding the bid for the Bell Road East Culvert Replacement Project to CMG Contracting, LLC in the amount of \$118,430.00 subject to an acceptable contract between CMG Contracting LLC and the Village of South Russell 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 2024-87**

BILLS LIST: Berger made a motion to ratify the bills lists of September 13, 2024, in the amount of \$131,350.79, seconded by Galicki. The Mayor questioned why the Village had to buy the Chief a new computer when Council turned in computers to ADP. The Fiscal Officer clarified that these computers were not turned into ADP, and that they would be put on GovDeals. Berger explained that those computers did not meet the requirements of the county. **Voice vote – ayes, all. Motion carried.**

NEW/OTHER: The Fiscal Officer indicated that with the final printed newsletter going out, calls are being received for eblast signup. Additionally, signs will be posted at the Fall Festival. An eblast was sent out to identify volunteers for the Fall Festival and the administrative office is trying to have more of a village presence on Facebook, etc.

Porter, Berger, and Galicki had no new business.

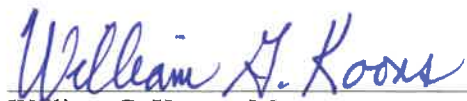
Bell asked why the Power a Clean Future resolution continues to be tabled. The Mayor stated he met with the group and he needs to meet with Public Utilities Committee to tell them why he thinks it is good and obtain a recommendation.


Cavanagh will provide upcoming committee meeting dates for HR, Properties, and Parks. She expressed appreciation to CVD and noted the value of the Council chamber monitors.

Berger made a motion to go into Executive Session at 8:24 p.m. for the discussion of financial benefits for a public employee inviting Council, with the exception of Councilman Galicki, the Solicitor, Fiscal Officer, and the Mayor, seconded by Porter. Roll call, ayes – Porter, Bell, Berger, Canton, and Cavanagh. Galicki recused himself.

Council reconvened at 8:39 p.m.

ADJOURNMENT: Being that there was no further business before Council, Berger made a motion to adjourn at 8:39 p.m., seconded by Canton. Voice vote – ayes, all. Motion carried.


William G. Koons, Mayor


Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki