

**RECORD OF PROCEEDINGS
REGULAR COUNCIL MEETING
MONDAY, APRIL 28, 2025 – 7:00 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

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

MEMBERS ABSENT: Berger

OFFICIALS PRESENT: Fiscal Officer Romanowski, Police Chief Rizzo, Solicitor Matheney

VISITORS: Family of Part-time Patrol Officer Michael McIvor

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 April 14, 2025, Regular Council meeting, seconded by Canton. Voice vote – ayes, all. Motion carried.**

VISITORS: The Chief asked the Mayor to appoint Michael McIvor to a part-time position with the South Russell Police Department effective May 1st. He explained that McIvor started his career with the Cleveland State University Police Department and has served with the Chester Township Police Department and is currently a full-time officer with Russell Township Police Department. **Bell made a motion to confirm the Mayor's appointment of Michael McIvor as a part-time patrol officer in South Russell, OH, seconded by Galicki. Voice vote – ayes, all. Motion carried.** The Mayor administered the oath to McIvor.

MAYOR'S REPORT: The Mayor commented on a letter he received from a previous Street Commissioner applicant who was writing in support of a candidate for the open Service Department position. The Mayor also explained that Council would hold off on voting to appoint Ike Tripp to the Treasury Investment Board (TIB) because the Mayor had given him a lot of information to review, and had not heard back from him yet.

FISCAL OFFICER: The Fiscal Officer distributed her report. The income tax collections have increased, which the Finance Committee Chair will discuss. Regarding the park restroom, she verified there were no problems with it because she must pay the bill for it this week. Cavanagh said there were issues with the stacks. The Fiscal Officer clarified she was speaking in terms of authorizing the payment, and Cavanagh said that payment could be made so long as the company came out to straighten the stacks. Galicki thought the Street Commissioner was going to speak to the company to find a solution, but did not know if that had been done. The Fiscal Officer asked if she should hold off on paying the bill, and Cavanagh said no, that she would verify the information tonight. **Canton made a motion that the Fiscal Officer will go forward and pay the company that the Village purchased the restroom from the full amount, seconded by Cavanagh. Voice vote – ayes, all. Motion carried.**

FINANCE COMMITTEE: Canton reported that the April 18, 2025, Finance Committee meeting minutes were distributed. The next Finance Committee meeting will be held on May 9th at 3:15 p.m. in Village Hall. As reflected in the Fiscal Officer's report, April's monthly net income tax collection was \$224,098, which was an increase of \$78,605 compared to March. It was a \$17,597 increase from April of 2024. Since January of 2025, \$898,686 has been collected, which is an increase of \$136,244

compared to April of last year. The Fiscal Officer clarified that typically in March and April, the Village receives an estimated amount from CCA, for which there will be an adjustment in June.

SOLICITOR: The Solicitor had nothing to report. Porter addressed Law Day and the passing of retired Judge Mary Jane Trapp. As the Geauga County Bar Association President, the Solicitor took over the event and, according to Porter, handled it flawlessly. Porter further explained that Patrol Officer Kevin Spackman was honored as the Law Enforcement Officer of the Year at the event. The Chief relayed the comments of some of the officials present that Spackman was one of the most gracious recipients and appreciated the nomination and selection.

STREETS COMMITTEE: Cavanagh reported that the Streets Committee met on April 18th and the minutes were distributed. The committee discussed the park burn, restroom, the drone garage, salt storage, and signs for the borders of South Russell with Bainbridge, Newbury, and possibly Chagrin. Galicki noted that the committee had not discussed this matter, but he noticed the new decals on the Village vehicles which improperly display the Village's name. He wondered who authorized the verbiage since it was not addressed at the committee level. Galicki asked if this was a contractor error or a Village error. The Mayor suggested discussing it at the next Streets Committee meeting.

Galicki said they were waiting for a report from the Engineer on how much the salt structure would cost.

Cavanagh complimented everyone in the Streets Department for Trash Day, which went smoothly.

Regarding applications for the Streets Department position, Cavanagh explained that the Fiscal Officer had sent them to the Streets and HR Committees. She asked these committees to provide their top three choices. The Fiscal Officer reported that 17 applications were received, and most have their CDL.

Cavanagh addressed the uniform topic saying she wanted to get it straightened out and asked for the next steps. The Fiscal Officer explained that currently there is no policy and she would need to know how to handle it. Bell explained that Berger drafted a policy for the last meeting and needed to make some adjustments. The Fiscal Officer concurred and said the draft policy would then go to the Streets Committee to discuss.

BUILDING COMMITTEE: Cavanagh spoke to the Building Inspector about an issue with the parking areas in the Industrial Parkway complex. The Solicitor explained that the Board of Zoning Appeals (BZA) approved a variance for 576 Industrial Parkway to have 33 parking spaces instead of the previously required 55 to 60 parking spaces. Cavanagh asked if this changed the function for example, of the Hawaiian Guy, or left it the same. The Solicitor said it did not change anything with respect to the Hawaiian Guy, who came forward for a review of their conditional use because it specifically prohibits carry-out. They wanted to have carry-out but have not been in touch since the parking situation was resolved. Cavanagh clarified that the Hawaiian Guy would have to make an overture. The Solicitor offered that the Building Inspector or someone in the Building Department could reach out to let them know that the 477 Industrial Parkway parking plan was approved, and the 576 Industrial Parkway parking plan was granted a variance. It should be determined whether Hawaiian Guy wishes to keep the application for Planning Commission. The Solicitor did not think Hawaiian Guy had withdrawn the application, and that the matter was tabled until the parking was sorted. Cavanagh thanked the Solicitor for clarification because she had gotten multiple questions about Hawaiian Guy from residents.

The Building Inspector inquired about the current contract with Dan D'Agostino, which the Mayor said had not been signed. Cavanagh asked about the next steps. The Mayor said they need to have a committee meeting and get it approved. There were issues with what D'Agostino wanted and what the Village normally did. The Solicitor explained that D'Agostino sent a proposed contract, and the Village provided some comments. Cavanagh said she had not seen this. The Solicitor will send it to Cavanagh for discussion by the committee.

POLICE CHIEF: The Chief provided an update on the construction of the Police Department garage.

SAFETY COMMITTEE: Bell reported that part-time Patrol Officer Dennis Harmon submitted his resignation, and Bell conducted an exit interview with Harmon. **Bell acknowledged the resignation of Dennis Harmon, seconded by Galicki. Voice vote – ayes, all. Motion carried.**

The committee met on April 24th. Bell reported on an incident with a dog in Lake Louise resulting in injuries. The Geauga County Dog Warden was involved as well as the Prosecutor who is charging the dog owner. Bell suspected that with this event, there would be requests from residents for dog ordinances. The Dog Warden provided background of dog ordinances in municipalities in Northeast Ohio, and there is not much that can be done about specific breeds. Galicki reiterated that the Dog Warden provided the Chief with valuable information, which basically says there is not a lot that can be done to ban dogs of any breed. The Chief explained that the State of Ohio used to have a breed ban on pit bulls but changed it due to the controversy over it. The law was changed to indicate there are no specific breed bans. Porter pointed out the provisions in the Ohio Revised Code about vicious dogs, and Bell added that by law, the fact that the dog did not attack or go after the human makes it a completely different scenario. The people were injured trying to break the dogs up. The Chief concluded that significant dog bite incidents are few and far between in the Village.

Bell stated that the committee had been discussing an IT service provider for the Police Department, which is currently on hold after a policy change from ADP which stated that if the department is not on the ADP network, it would not be able to access the Geauga County Sheriff's Office. The Chief explained that as a result of a malware attack, ADP is reassessing the VPN connections. A statement was made that if entities were not managed by ADP, they would be prevented from accessing Geauga County's software program, which is how the Police Department operates. These were early statements, and he did not know if there was a work around. It may mean that the department is pushed into using ADP.

The next meeting will be May 15th at 8:00 a.m. in the Police Department.

HR COMMITTEE: Bell reported that the Building Department Administrative Assistant will return on April 29th. The next HR meeting will be on May 13, 2025, at 7:30 a.m. in Village Hall.

The Mayor asked that the HR Committee discuss employee recognition as Administrative Assistants' week had passed and Service Department and First Responder recognition weeks were upcoming. He asked that the committee come up with something to recognize the employees.

The Mayor asked whether Council members should attend the HR training, and the Fiscal Officer said that they may attend. The Solicitor concurred that it was optional, but the elected officials can attend.

PROPERTIES COMMITTEE: Galicki reported that the committee met April 22nd and the minutes were distributed. The committee discussed the beginning stages of improvements to the corner lot. The pavement and brick patio remain, and the committee would like to start the process by removing

these pavements, leveling the remaining land, and removing three trees. Cavanagh asked if the tree removal was necessary. Galicki did not know how this proposal began, and he thought the trees should remain until a decision was reached about what would be done with the corner property. The Mayor suggested deferring the discussion until the May 12th meeting when the Street Commissioner was present. Bell asked if the work would be done internally, and Galicki concurred. Bell added that he supported keeping the trees as well.

Tuesday, May 27, 2025, will be the next meeting.

PARKS COMMITTEE: Cavanagh stated that the Parks Committee met last week, and a presentation was made for the Bocce Ball courts. It is premature to determine the date for the Fall Festival, which can occur after the Brown's schedule is released in early May. Most everyone liked the restroom. The three Eagle Scout projects were also presented. Furthermore, Cavanagh noted that the Butterfly Garden was trimmed too closely, and suggested the Village replace the plants that do not come back.

The Mayor spoke to Chagrin Falls, which built their Bocce Court for about \$13,000. There is a similar Bocce Court in Bentleyville. Once it is installed, there is no maintenance. The Chagrin Falls court has 28 teams that use it twice a week.

PUBLIC UTILITIES COMMITTEE: Porter stated that the Public Utilities Committee met, and the minutes were distributed. The next meeting will be on May 14th at 3:15 p.m. in Village Hall.

The Committee discussed the Kensington Green/Village license agreement for the purposes of monitoring the sediment in Bullfrog Pond. This is the first of 41 ponds with which the Village will attempt to get agreements to do silt monitoring. It appears that Kensington Green believes that their \$350 legal bill for reviewing the agreement will be paid by the Village. Porter thought it was apparent that if the Village was not inclined to pay the bill, then Kensington Green would not be inclined to move forward with the Bullfrog Pond agreement. The committee has spent the last year and a half to two years attempting to get the program going and it might be stopped in its tracks. It is \$350 to \$1,000 in legal fees, and Porter suggested the Village pay for it out of the storm water budget. Cavanagh said she would vote to have this available to all homeowners' associations as far as monitoring. Paw Paw Lake did not want to sell the acreage around the lake, but as far as getting the incoming silt measured, she thought the HOA would be on board with that. Porter explained that the ponds vary in importance and have been prioritized. With Kensington Green as the template going forward, Galicki asked if the Village could expect legal challenges and fees for the 40 remaining ponds. It would not be a matter of \$350, but 40 times that amount. Is this program even needed? Is the Village imposing its will to enter private property for the sake of monitoring, which may or may not be the responsibility of the HOAs? Cavanagh said it would not be imposing if the Village left it up to the HOAs to decide if they wanted it. Porter concurred. He added that if the Village could get the top 10 ponds under monitoring, the other ones are somewhat less important due to size or location. Based on the committee's progress, this may take 70 years. That being the case, Galicki asked if this was worthwhile. The agreement has not been voted on by the HOA, meaning that a lot is being done without the input of the HOA members. Is it a matter of putting the cart before the horse? Porter did not think so because monitoring the silt levels will give the Village an idea of when they need to be dredged. It will also allow the Village to share information with the HOA or pond owner so that they will not end up with the situation faced by Paw Paw Lake. Galicki understood but explained that Kensington Green employed AquaDoc and found there was minimal silt in Bullfrog Pond. Additionally, an aeration system was installed to further minimize silt. He reiterated the question of whether this was worthwhile pursuing. Cavanagh thought Porter was looking for a template, and

Galicki said a template does not require buy-in from any HOA. Cavanagh noted that in the last four years, the Village has paid a significant amount of money to Sugar Bush for their dredging. She would like to avoid this. It is not right and if the Village is going to do it for one, it should do it for all. Over the years, she has made inquiries with Geauga Soil and Water about help with silt measuring of Paw Paw Lake, but they could not help. Cavanagh thought this would be a worthwhile tool.

Bell expressed discomfort as a resident of Kensington Green for it to be the first community approached. He asked the Solicitor whether the three members of Council and the Mayor could discuss and vote on the matter. The Solicitor did not think they could vote on the matter of the attorney's fees. If the HOA had an expense, would this not be an assessment to all the residents? Porter indicated no. She saw it as a possible conflict to use Village Funds to pay for the legal fees to review the license agreement for an HOA where three members of Council and the Mayor reside. She clarified that she already has a template, and the question is really whether or not Kensington Green will agree to some of the things for which the Village is asking. The legal fees will continue to increase. Porter did not see a conflict with Council voting on this because Kensington Green does not currently have a monitoring program and there is no expense that any member of the HOA is saving by the Village doing this. It is something the Village is doing for storm water management. In the years he and the Mayor have lived there, the pond has not been dredged. However, there is money set aside for that purpose if necessary. In his mind, the Village paves Annandale Dr. where he and Bell live, and they vote for the Road Program, so he did not see a difference between that and the pond agreement issue. The Solicitor said there would be no expense that would come to him as a resident for the paving. This is a legal fee, if voted on, the Village will be paying, with the fee increasing. The expense could actually be assessed to the residents rather than to the Village.

Cavanagh clarified that it broke down to whether the Village conducts silt monitoring, and the other issue being should the residents pay for it. Even if the residents pay for it, she will vote yes. Porter said he was inclined to continue to pursue the pond monitoring program with Kensington Green as the first agreement because it is the second in line to the Central Retention Basin in priority. He supported having the Village pick up the legal expenses if the HOA or owner would like their own independent review. Porter thought that Kensington Green will walk if the Village does not follow through on what they consider a promise by the Village to pay for the legal review. The Solicitor said that probably was not a good promise. It should never have been intimidated. Her other point is that there are 40 other ponds, and they will all want legal review even if it is a template to which Kensington Green agreed. Porter thought there might be some that were not interested, so it may not be all 41. Bell proposed that they wait to hear from Berger at a future meeting since he is not a Kensington Green resident.

ORDINANCES AND RESOLUTIONS:

Canton introduced an ordinance approving Auditor of State Uniform Accounting Network Participation Agreement in an amount not to exceed \$6,000, authorizing the Mayor and Fiscal Officer to execute the agreement on behalf of the Village, authorizing the Fiscal Officer to execute the authorized user agreement as part of the agreement, authorizing the Fiscal Officer to select a designee, authorizing the designee to execute the authorized designee user agreement to the agreement, and declaring an emergency. Canton made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Canton made a motion to adopt, seconded by Cavanagh. Roll call – ayes, all. Motion carried. **ORD 2025-27**

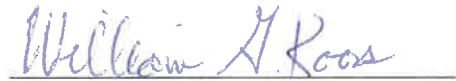
Galicki introduced an ordinance approving the operating agreement with Geauga Fresh Farmers' Market, Inc. for a license to use a designated portion of the parking areas and driveways of the South Russell Village municipal property at Chillicothe Road and Bell Road as a Farmer's and artisans'

market for the time period of May to November, 2025, authorizing the Mayor to execute the operating agreement on behalf of the Village, and declaring an emergency. Galicki made a motion to waive readings, seconded by Porter. Roll call – ayes, all. Motion carried. Galick made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **ORD 2025-28**

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

Porter referred to the Fiscal Officer's report where she listed the Village Hall sewer project as requiring an appropriations amendment. The Fiscal Officer explained that when the last Council meeting ended, the Street Commissioner told the Mayor that there was \$10,000 in sewer work that was needed. She thought an amendment would be necessary, but she was never given any further details, quotes, etc. The Mayor said that there is an issue, and they are going to camera before doing anything. She hoped to have this information by the next meeting and explained she did not make any appropriation amendments for now because there was enough in the budget because of the salt dome. She is keeping a list of changes and expenses Council has been approving to make amendments when necessary.

ADJOURNMENT: Being that there was no further business before Council, Cavanagh made a motion to adjourn at 7:57 p.m., seconded by Porter. Voice vote – ayes, all. Motion carried.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki