

**RECORD OF PROCEEDINGS  
REGULAR COUNCIL MEETING  
MONDAY, MAY 12, 2025 – 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 Matheney, Engineer Haibach

**VISITORS:** Kathy Shimer, Destination Geauga

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 28, 2025, Regular Council meeting, seconded by Canton. Voice vote – ayes, Bell, Canton, Cavanagh, Galicki, and Porter. Berger abstained. Motion carried.**

**VISITORS:** Cavanagh introduced her longtime friend, Kathy Shimer, who informed Council about Destination Geauga and the upcoming 21<sup>st</sup> annual Spring Drive It Yourself Tour on Saturday, May 17, 2025. Shimer explained the mission of Destination Geauga which is to promote businesses, clubs and organizations, and townships through its newsletter and social media.

**MAYOR'S REPORT:** The Mayor displayed a PowerPoint presentation of the installation of the park restroom with commentary by Cavanagh, Canton, and the Street Commissioner. Canton asked if the restroom was operational, and the Street Commissioner responded that as of today, the temporary bathroom was picked up, and the Chief set the door codes on the new restroom so that they would be open from 6:00 a.m. to 9:00 p.m. daily. It is operational. The Mayor noted that the installation appeared to have gone smoothly, and the Street Commissioner said that once all the components arrived, it was installed within two hours. Site preparation was discussed. Referring to photos of the vaults, the Street Commissioner explained that they will have to be emptied once a year. Two remaining corrections that need to be made to the building are the straightening of the stacks and connecting the restroom to the power supply. Canton asked for the timetable for digging the well next to the restroom, and the Street Commissioner said he did not have one. He explained that there is no water inside the buildings, and thought a decision should be made as to whether the restrooms are needed year-round. Cavanagh stated that the restroom would need to be hosed out in the summer, and the Street Commissioner said water can be hauled down in the department's tank. Canton stated that initially there was discussion about a well, not to supply water to the restrooms, but to have a water source outside of it for cleaning. The Street Commissioner thought it was just as easy to use the tank and not spend money to put in a well. Cavanagh noted that these funds were included in the cost of the restroom. The Fiscal Officer explained that it was included as an extra cost but was not encumbered to this year. It would involve amending this year's appropriations. Canton thought \$10,000 was earmarked for the well.

**FISCAL OFFICER:** The Fiscal Officer announced that the Building Department Administrative Assistant is back to work. With the teamwork of the Police Department and the

Administrative Assistants, the Building Department Administrative Assistant was happy with what she returned to. She is caught up and grateful for the help.

The Fiscal Officer previously distributed the Tax Budget worksheets to the committees and Department Heads and reminded them she needs them back by May 27<sup>th</sup>. She had already received budget numbers back from the Building Department and anticipated getting them from the Police Department/Safety Committee this week. She hoped to have the Tax Budget Hearing on June 9<sup>th</sup>.

The Fiscal Officer conveyed that harassment training for all employees and elected officials will be on May 22<sup>nd</sup> at 8:00 a.m. in Village Hall. It will be 60-90 minutes for all employees followed by training for supervisors. The presentation will be recorded for the benefit of future employees.

The 2023-2024 State Audit is wrapping up.

Regarding cash balances for the month of April, the Village is down \$97,000, but year-to-date it is up \$514,000.

The Fiscal Officer referred to an informational email she sent elected officials regarding getting an advisory opinion of the Ohio Ethics Commission regarding the pond agreement and issue of the use of public money for a private purpose with Kensington Green. She said a motion would be necessary to determine Council's interest in moving forward with this. Bell asked how long it would take to get an opinion, and the Fiscal Officer replied that it could be 45 days but found that the initial response to her inquiry was provided in less than a week.

**FINANCE COMMITTEE:** Canton reported that the committee met on May 9<sup>th</sup> and minutes are forthcoming. **Canton made a motion to vote and approve the Tax Budget Hearing date of June 9, 2025, at 7:00 p.m., seconded by Porter. Voice vote – ayes, all. Motion carried.**

Canton reported that for April, the Village was down \$97,000 due to the purchase of a Police cruiser and the restroom facility. On the other hand, for the year, the Village is up \$514,000, which is good news.

The Finance Committee meeting for June will be on Friday, June 13<sup>th</sup> at 8:00 a.m.

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

**ENGINEER:** The Engineer reported that proposal packages were received from three interested bidders for the salt storage building on Friday, May 9<sup>th</sup>. They were CMG Contracting, Blue Streak Project Management, and Cold Harbor Building Company. The proposals were not close and ranged from \$600,000 up to \$1.4 million with CMG Contracting providing the best price. There is a lot that needs to be done prior to making a decision. The particulars will be discussed at the next Streets Committee meeting on Thursday, May 15<sup>th</sup> at noon. A recommendation to Council will be provided following that meeting.

The Engineer is working on an Ohio Public Works Commission (OPWC) application for a new storm sewer system and roadway paving on Hazelwood as previously discussed. He did not know how strong of an application he could put together for this because it is a big ask of \$250,000 to \$300,000 for a 50% match. Given the Village's recent success in receiving OPWC funding he was uncertain whether they would be willing to give the Village \$250,000 to \$300,000 in free grant money right now. However, the storm sewer and road are in poor condition, and if the Village does not receive the funds with this funding cycle, he would ask again. The applications are due May 23<sup>rd</sup>. **Porter made a motion that the Engineer, Fiscal Officer, and the Mayor be authorized to submit an application for financial assistance to OPWC for the purposes of upgrading sewer facilities and road paving for the Hazelwood area, seconded by Cavanagh.** The Engineer clarified that this would be for the preapplication. **Voice vote – ayes, all. Motion carried.** Cavanagh asked for clarification of whether this included Countryside Dr. The Engineer said that the storm sewer issues do not start at Countryside but further west, perhaps around Fernwood, but it is difficult to determine. Currently, the storm sewer system has ditch enclosures with mismatched pipes, pipes that do not appear to go anywhere, etc. More and more problems have been surfacing in this area in bigger rain events with the surface water not being able to get down into and accommodated by the storm sewer system. He could not currently provide specifics about what would be replaced but could say the area is just west of Countryside Dr. all the way to the outlet on the far west end. The Hemlock Culvert replacement ties into this, but a contract for this work cannot be authorized until after July 1, 2025. This will provide the outlet, and the next step would be to fix what is upstream of that.

Berger clarified whether the Village could go to bid before July 1<sup>st</sup> and open the bids July 1<sup>st</sup>. The Engineer said the Village can advertise but was uncertain about the timing of the bid opening. He knew that the contract could not be awarded until after July 1<sup>st</sup>. The Engineer said that the Village's OPWC representative would be able to clarify the bid opening question. He further explained that the Village is not too pressed for time on this because he viewed it as a fall/winter project. It would be helpful, however, in informing Russell Township for their participation in the local cost share. Berger said he received a call from the property owner who is most impacted by this project who was very interested in seeing the project go forward as soon as possible. Porter asked how much money the Village would receive with the grant, and the Engineer explained that it is a 50-50 matching percentage up to a maximum.

**Porter made a motion that the Engineer, Fiscal Officer, and Mayor be authorized to go out to bid for the purposes of the Hemlock culvert replacement which involves Russell Township as well to differentiate from the other one, seconded by Berger. Voice vote – ayes, all. Motion carried.**

Galicki addressed the salt structure bids and expressed surprise in the contrast in pricing. The high-end bid was double the low bid. He asked the Engineer if he had examined the bids to see whether they are apples to apples. The Engineer said they are not, which could account for the big discrepancy. Galicki clarified that the contractors came up with their own design modifications. The Engineer provided the bid tabulation but would have the specifics by the Streets Committee meeting. Galicki also raised the issue of tariffs in relation to the building materials and wondered if this factor was considered with the bids. He was concerned about the

Village being charged for cost overruns. The Engineer explained that overages would only be due to a change of the scope of the project, not because of a change in the cost of materials. Galicki asked if all three of the bids met the flavor of the design specifications provided by the Village. The Engineer said yes, adding that some of the bidders also proposed alternates.

The Mayor said the county is also buying a salt dome and he will check on their bids.

**STREET COMMISSIONER:** The Street Commissioner submitted his monthly report. He provided an update on playground maintenance, and said they are slowly addressing the list of duties and outstanding things they have.

The Mayor complimented the Street Commissioner on his first Trash Day. He thought that the amount was down a little compared to other years. Cavanagh thought it was due to lousy weather. The Street Commissioner said that ideally, Trash Day is something that in reality should slowly die on its own. Cavanagh commented that she loves it. The Street Commissioner said that theoretically, there should not be as much trash over the years. He had three scrap dumpsters and only two were used. The Mayor also thanked the Chief for his participation.

**STREETS COMMITTEE:** Cavanagh talked to the Street Commissioner last week, and the 19 applications for the Service Department position are at the top of his list. Streets and HR Committees will review the applications and narrow them to five. On the 19<sup>th</sup>, the committees will review them.

Cavanagh addressed the uniform policy, and the Street Commissioner said he would like to get the guys into the uniforms before getting too far into the summer. Cavanagh said that HR already had a policy for clothes, so it just needs to be adjusted. The Street Commissioner concurred.

The Fiscal Officer asked for clarification on the May 19<sup>th</sup> meeting, and Cavanagh said it will not be a committee meeting but rather a get-together to discuss the applications or possibly to conduct interviews and maybe a meeting was unnecessary. She asked the Mayor for clarification on what would occur on May 19<sup>th</sup>. The Mayor encouraged the committees to get the 19 down to five. He asked to be given the two finalists. Galicki pointed out that if HR and Streets Committees will be meeting, it is a committee meeting. Cavanagh said no that she did not have it as an actual meeting. Galicki advised that they cannot meet without it being considered a meeting, and that there are no unofficial meetings. The Solicitor offered that it would be a joint meeting. Cavanagh thought what the Mayor had in mind was for them to determine their top five candidates. She offered to call a meeting and Galicki agreed and added that they cannot have behind the scenes discussions. Cavanagh concurred. The Mayor asked how the Chief handled his last hiring, and the Chief said he followed the process and once the candidates were narrowed down, they went in front of a joint HR/Safety meeting.

**BUILDING COMMITTEE:** Cavanagh reported that the Building Committee met on Thursday, May 8<sup>th</sup>. The minutes were distributed. The budget was discussed as well as the contract for Dan D'Agostino. Additionally, Cavanagh relayed the Mayor's suggestion for the Fire Prevention Officer to update Council on his duties and responsibilities. Free range chickens were also discussed by the committee.

**POLICE CHIEF:** The Chief submitted his month-end report. The Chief reported issues with the connections on the solar panels on the Police Department roof, which have been repaired. Yellow Lite remotely monitors the solar panels which allows them to know how the system is functioning.

**SAFETY COMMITTEE:** Bell reported that the next meeting will be Thursday, May 15<sup>th</sup>.

**HR COMMITTEE:** Bell stated that the HR Committee will meet Tuesday, May 13<sup>th</sup> at 7:30 a.m.

**PROPERTIES COMMITTEE:** Berger advised that the Properties Committee will meet on May 20<sup>th</sup> at 9:00 a.m.

**PARKS COMMITTEE:** Berger made a motion to approve the Chagrin Falls Middle School Cross Country meet park use/pavilion reservation change from August 26, 2025, to September 2, 2025, from 3:00 to 6:00 p.m., seconded by Galicki. Voice vote – ayes, all. Motion carried.

Berger made a motion that Sundays in September for 2025 be blocked off for pavilion reservations pending the issue of the Brown's schedule and the determination of a Fall Festival date and rain date. Berger amended the motion to include Saturdays, seconded by Galicki. Voice vote – ayes, all. Motion carried. It was discussed that the Brown's schedule is due to be released Wednesday, after which the committee will determine a date for the Fall Festival.

**PUBLIC UTILITIES COMMITTEE:** Porter said the committee will be meeting Wednesday, May 14, 2025, at 3:15 p.m. in Village Hall. He hoped the Engineer would be joining them. The committee will be discussing whether the Village should continue to pursue Manor Brook Phase II given what the Village has seen so far with Manor Brook Phase I and the Central Retention Basin. The committee also plans to discuss the landscape plan Council authorized for \$10,000 for the Central Retention Basin in preparation for fall planting. Regarding previous flooding on East Washington Street, Porter described an issue with the discovery of a gas line running laterally through the centerline of an underground pipe. The Engineer explained that although it is not an ideal situation, it is unlikely to have caused all the flooding issues in the area. Porter questioned whether this was the opportunity to address that problem along with Chagrin Falls' problem. Berger said that he did not know that Chagrin wanted to address the problem, and the Engineer concurred. Berger suggested the Engineer have this discussion with his counterpart in Chagrin Falls. Porter explained that the question is whether the Village should upgrade the size of the piping which would send more water to Chagrin. The Engineer pointed out that this would not be the case because a 24" pipe connecting to a 12" pipe would just fill with water once the receiving pipe is full. The repair would need to be done in conjunction with the owner of the gas line, but the Engineer had not settled on the appropriate repair given a variety of factors. Galicki asked how large the gas line was, and the Engineer thought perhaps 3-4". There was further discussion of how this situation might have occurred. The Mayor asked who would bear the expense of the repair, and the Engineer expressed reluctance to have the gas company conduct the repair and thought the Village would have to pay for the repair of the pipe. The

Mayor questioned whether there would be an opportunity to call in a favor from the gas company given its mistake and propose that they do the anticipated line repairs on Bell Rd. east before the Village paves. The Engineer concurred, but did not know if it would be economically feasible for the gas company to extend the gas line to the east.

Porter addressed the Ohio Ethics Commission advisory opinion. He thought it could be useful and addressed clarifying questions asked by the Ethics Commission regarding the matter. The question was asked whether members of Council were members of the Kensington Green Homeowners' Association (HOA), and Porter said yes. Regarding whether any of them were office holders with the HOA, Porter said no. Porter further answered that yes, the HOA had retained an attorney, and the attorney has performed reviews of the agreement. The Ethics Commission asked for clarification as to whether the Village could pay for the sounding or pay for the HOA's attorney fees, and Porter said the Village is just asking about the HOA's attorney fees because the sounding would be done in-house. Galicki asked if this fell under the category of public funds for private use. Porter said that this would be the wise thing to ask. As an informational point, Porter added that no member of Council nor the Mayor would benefit personally either directly or indirectly from the payment by the Village of the HOA legal fees. Galicki took exception with that statement because if there are legal fees that the HOA must pay, he would anticipate the members being assessed. Indirectly or directly, he thought it met the test. Porter said they were not currently being assessed and have no knowledge that they will be assessed and for \$350 he doubted they would be assessed. At this point, one does not know. If they were going to be assessed, there would be an email to all the HOA members. Galicki said they do not know because the assumption on the HOA's part is that the Village will pick up the tab, due to an implicit promise or negotiations, etc. He did not see any harm in keeping the verbiage in for the Ethics Commission. Porter thought what he suggested adding should be added and did not know of any benefit directly or indirectly that any of the membership gets. The HOA leadership, President, Vice President, Secretary, Treasurer, are the ones who run that, and the members do not benefit from this arrangement because right now there is no pond monitoring at all. Galicki added that this has had no deleterious effect on the HOA, nor was it requested by the HOA. This is strictly a construct that the Village has come up with, and Porter agreed. Galicki asked the Solicitor for her opinion about the wording, and she suggested saying "unknown" because the Village does not know if there will be a direct or indirect benefit. Porter reiterated that at present there is not, and did not see that it would be. **Porter made a motion that the Village go ask the request from the Ohio Ethics Commission for the advisory opinion including the language that is #5 bullet point that no member of Council nor the Mayor would benefit personally, directly or indirectly from the payment of legal fees incurred by the HOA for the license agreement.** Galicki asked if Porter was maintaining the original language or if Porter changed it. Porter said it was what he wrote down and said twice. The Fiscal Officer asked Porter if as a members of the HOA they paid dues, and Galicki and Porter said yes. Galicki added that they also pay any assessments that the HOA board chooses to pass along, and Porter offered such as paving the grounds. **The motion was seconded by Cavanagh.** Voice vote – ayes, all. Motion carried.

Porter said the June Public Utilities Committee meeting will be held June 13<sup>th</sup> at 9:00 a.m.

#### **ORDINANCES AND RESOLUTIONS:**

Berger introduced an ordinance approving the agreement between Aris Company and the Village of South Russell in an amount not to exceed a total of \$304.50 for a handicapped portable restroom unit and services thereto in the Village, authorizing the Street Commissioner and Mayor to execute the agreement on behalf of the Village 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. **ORD 2025-29**

The Fiscal Officer advised that although the Building Committee is working on the agreement with Dagg Inspections, in the meantime, there is a bill for \$240 that requires a motion.

**Cavanagh made a motion to approve the single bill in front of you and we will get that contract going, seconded by Porter. Voice vote – ayes, all. Motion carried.**

**BILLS LIST: Canton made a motion that we pay the bills list \$183,016.28, seconded by Berger. Voice vote – ayes, all. Motion carried.**

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

Berger made a motion to excuse Porter from the May 27, 2025, Council meeting, seconded by Bell. Voice vote – ayes, all. Motion carried.

**EXECUTIVE SESSION:** At 8:14 p.m., Canton made a motion to enter into executive session to consider the investigation of public officials pursuant to Section 121.22 (G)(1) of the Ohio Revised Code and invite into executive session the Mayor, Fiscal Officer, and Solicitor, and also enter into executive session with the Solicitor for the purposes of an update as to pending litigation pursuant to Section 121.22 (G)(3), and invite the Mayor, Solicitor, Fiscal Officer, and Chief, seconded by Porter. Roll call – ayes, all. Motion carried. Executive Session started at 8:20 p.m.

Council reconvened at 8:30 p.m.

**ADJOURNMENT:** Being that there was no further business before Council, Berger made a motion to adjourn at 8:30 p.m., seconded by Porter. Voice vote – ayes, all. Motion carried.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki