

**RECORD OF PROCEEDINGS
SPECIAL COUNCIL MEETING
MONDAY, DECEMBER 29, 2025 – 8:30 A.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: Emma MacNiven (Maple Leaf), Kaley Richard (CVT)

The Mayor called the Special Council Meeting of the Village of South Russell to order at 8:30 a.m. on Monday, December 29, 2025. The Mayor stated that, as a special meeting, Council discussion and action would be limited to the items listed on the agenda. The Fiscal Officer conducted roll call.

Regarding a potential levy for the trail, Canton opened discussion by stating that, in his opinion, the Village should consider pursuing a levy to fund the trail project, but not until after the first of the year when two new council members are seated. He noted that the incoming members had been instrumental in planning the trail and should have direct involvement in the decision-making process.

Bell asked the Village Solicitor to explain the current legal framework for levies. The Solicitor explained that replacement levies are no longer permitted under state law, but that recreational levies, including trail levies, are currently allowed. He noted that although such levies were initially prohibited in a prior budget bill, the Governor vetoed that provision, and the veto has not been overridden.

The Solicitor outlined the required process for pursuing a levy and said that first, Council must determine the need for a levy. Next, Council must request that the County Auditor certify estimated revenue at specified millage levels. Last, Council must then pass legislation declaring the levy necessary at a specific millage amount.

Council discussed potential timing for placing a levy on the ballot. Options included the primary election, a special election, or the November general election. Porter indicated the preference of the Finance Committee was the November election, citing higher voter turnout and more time for Council consideration.

Discussion included project cost estimates. Porter advised that the south-side trail alignment was identified as the trail committee's recommended option, with an estimated total cost of \$1.8 million, including an \$800,000 grant, leaving approximately \$1 million for the Village to fund. Porter further explained that the committee felt that with the Village's current budget situation, a levy might be appropriate to finance the project without dipping into the Village's reserves. He noted that ultimately the Village's share might be more than \$1 million due to additional costs. Galicki clarified that these could include property acquisition, right-of-way issues, administrative expenses, and third-party review costs not covered by grant funding. Galicki asked if it would be necessary to identify a specific amount for the levy. Porter agreed. The Solicitor reiterated that the Village would ask the auditor to provide an estimation of the revenue at a certain millage and could ask for multiple millages to see what the amount would be. From there, the Village would declare it necessary to go out for that specific levy.

Berger raised concern that in waiting for the November election, the Village potentially would continue to incur engineering and planning costs without certainty of funding. If it were to be on the ballot in May and the voters say no, then the project ends at that point, and the Village does not continue to have another six months' worth of costs. Porter recalled that the Village had already spent approximately \$50,000 in engineering and related services. The Fiscal Officer offered that in addition to what had been spent, there would be more costs coming that would not be covered by the grant. Porter suggested that Council pause further expenditures until voters decide on a levy.

Cavanagh expressed strong opposition to the south-side alignment, stating that the north-side alignment would impact fewer properties and that she could not support a levy tied to the south-side route.

Discussion transitioned to the third-party reviewer for the Bell Road East Project. Cavanagh discussed the requirement for a third-party reviewer for the Bell Road East paving project, noting that this requirement arose in 2024 as part of the Ohio Department of Transportation (ODOT) and Ohio Public Works Commission (OPWC) grant conditions. She reported that Structurepoint was the only firm to submit a statement of qualifications after the Village published a public notice and directly reached out to multiple engineering firms. A meeting was held on December 2, 2025, with Structurepoint representatives Kelsey Morton, Aaron Montz, and a third individual. The proposed cost was up to \$32,000. Cavanagh learned that had the Village paid for the project without grant assistance, the Village would not have had to pay for a third-party reviewer. Regarding the project, Cavanagh advised that the schematic was sent to Structurepoint and the Mayor sent a letter to them asking for their bid since as of December 9th, the Village did not know the cost. She spoke to Morton on December 22nd about the cost estimate provided and how the Village might reduce it. Morton offered that the firm could bill for hours worked instead of a lump sum. Cavanagh asked if Structurepoint would agree to an amount not to exceed \$30,000. Morton needed to consult with her partners.

Most importantly, the Engineer needed to have the Village's decision today about the Village's decision on the third-party reviewer for ODOT and OPWC. Regarding the cost, Porter clarified that the contract stipulated up to \$32,000. Additionally, the hourly rates of the project manager, senior engineer, project engineer were identified as \$260/hour, \$195/hour, and \$165/hour respectively. He thought it was possible that agreeing to the hourly rate would be better than the lump sum of \$32,000.

Alternatives were discussed, and Bell offered that the Village could go out to bid again. It is not required that the Village go with Structurepoint. The Solicitor advised that Structurepoint was the only firm to submit a statement of qualifications, and Council deemed them to be qualified. The next step would be to negotiate a contract. If the Village were to look for alternatives, it would be because it could not reach an agreement on price with Structurepoint and not because they were not qualified. The Solicitor and Fiscal Officer discussed the risk of delaying approval to seek additional qualifications, including the possibility of losing a \$1 million grant if deadlines were missed. It was noted that OPWC had already granted one extension and might not grant further extensions.

The Solicitor stated that if Council decides to move forward, it will be necessary to authorize and designate a Village point-person for the project to satisfy conflict-of-interest and ethics disclosure requirements. She further explained that it must be a full-time employee who can make certain calls as the designated representative for the Village. This must be done by motion. Cavanagh suggested that it should be the Street Commissioner. Porter concurred. **Cavanagh made a motion that Tim Young is the point person for the Bell Rd. East Paving project as far as Structurepoint, if Council**

approves the ordinance for the contract, seconded by Porter. Voice vote – ayes, all. Motion carried. The Mayor said he would notify the Street Commissioner.

Council discussed whether to proceed with selecting a third-party reviewer for the trail project. Berger felt that the Village should make another attempt to get competitive bids for a third-party reviewer since it only received one statement of qualifications from Structurepoint. Berger contacted ODOT and was told there are 130 third-party reviewers in the state. He did not understand why the Village was not getting competitive bids. The public announcement was sent directly to four firms, but only one responded. Bell proposed sending the public announcement to every business on the ODOT list. Porter thought they were putting the cart before the horse in that Council had not yet selected a trail alignment or approved the project and there was the matter of the levy. The Solicitor recommended notifying Structurepoint that the Village will not be moving forward with evaluating their qualifications and is considering making another request for qualifications if the path is approved. Berger asked who would communicate this with Structurepoint, and the Mayor volunteered to do so.

The next agenda item discussed was the Chagrin Valley Dispatch (CVD) cost increase for 2026. The Chief advised that in late 2024 when CVD reconfigured its billing model, he contacted the CVD Finance Director to determine the Village's expenses for 2025 for fire dispatching only. He was told it would be \$47,914. At the October 2024 budget work session, Council knew that CVD was going to increase its rates in 2026 by 2.8% and 3.2% in 2027. In May 2025, the Chief reached out to the Finance Director to verify that the cost for 2026 for fire dispatch with the 2.8% increase would be \$49,256. However, the Chief was informed that he should use 5% instead, which would bring the total to \$50,310. In response, the Village budgeted \$51,000 for dispatch services for fire only. The Chief then reached out in December to verify this amount and was told it would be \$55,510, which equated to a 12.6% increase. Canton asked if this was a graduated increase and required for all the CVD members, but the Chief did not know. Berger noted that the Mayor had a December 15th meeting with CVD, and the Mayor said he assumed so. Berger asked whether the increase was discussed, but the Mayor said not that he recalled. Galicki asked whether CVD's governing board would have to approve an increase. The Mayor said there would be a meeting on January the 14th. Berger asked whether there was a CVD budget meeting within the last six months, and the Mayor was sure there probably was. Galicki pointed out that the Mayor is the representative to CVD for the Village. The Mayor agreed but said he did not recall right now but he could go back and find out. Bell questioned that the Mayor did not recall a 12% increase discussed by a committee on which he represents the Village. The Mayor said he never heard that the increase was coming. Bell concluded that he was shocked that the board was unaware of this increase and wondered whether this was a rogue decision. There was further discussion pertaining to the lack of communication from CVD, uncertainty about whether the governing board approved of the increase, and inconsistency with previously stated projections. The Solicitor advised that Council could ask to examine records to include meeting minutes regarding the matter. Berger noted that if the governing board approved the increase and a member of the governing board does not know it, this is a significant issue for the Village. The Mayor said he would get some answers on January 5th. Porter thought the budget would have to be amended for 2026 to account for the increase. The Fiscal Officer thought this would occur at the second meeting in January.

Galicki felt certain that decisions made by CVD were not done in a vacuum. Allegedly, the Village has a representative who is supposed to be concerned about the best interests of the Village. If he only serves to rubber stamp what CVD wants, then the individual acting as the representative is not serving the Village well.

Berger also raised the issue that the first quarter invoice indicates that the first quarter total will be different than the remaining quarters to compensate for the communities that will be joining CVD in February. The Chief explained that previously, more members joining the group meant lower costs for all, which does not seem to be the case. Council discussed the complex billing model of CVD.

Cavanagh introduced an ordinance approving a short-form agreement between the Village of South Russell and American Structurepoint, Inc. for third-party review services for the Bell Road East paving project, authorizing the Mayor to execute the agreement on behalf of the Village in an amount not to exceed \$32,000 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 2025-76**

Berger made a motion to pass a Resolution of No Confidence and No Trust in the Mayor of the Village of South Russell declaring an emergency.

Berger made a motion to read in its entirety the Resolution of No Confidence and No Trust, seconded by Bell. Voice vote – ayes, all. Motion carried.

Berger read the following into the record:

WHEREAS, Dr. William G. Koons, is the current elected Mayor of the Village of South Russell (“Village”), is one of the executive officers of the Village, is required to carry out the legislation passed by Council, is expected to follow the policies and procedures of the Village, and is generally tasked with the oversight and management of the Village;

WHEREAS, in a statutory village in Ohio, the mayor's duties are primarily executive, administrative, legislative, and judicial, as defined by the Ohio Revised Code (ORC), as well as all other duties and powers granted by Ohio law, but almost all of the mayor's actions must be confirmed or approved by Council;

WHEREAS, during his terms as Mayor, William Koons has engaged in a series of behaviors and actions which are contrary to the good order of the Village; and,

WHEREAS, Mayor Koons, without notice to Council or any approval of Council, met with a former employee that resigned in light of a possible disciplinary investigation for falsifying Village records and offered to have him reinstated as an employee of the village;

WHEREAS, Mayor Koons, without approval of Council, negotiated the terms of a contract on behalf of the Village with The Chagrin Falls Suburban Volunteer Association (“CVFD”) for fire and EMS services as follows:

- a. Met with CVFD leadership regarding contract without informing Council.
- a. Advised Fire Chief Zugan in advance of August 13th meeting that a counterproposal would be forthcoming and to “act surprised.”
- b. Represented SRV at CVFD Advisory Board meetings in contravention to Council’s express appointment of the chair of safety as the representative.
- c. Voted to approve new agreement without prior Council authorization.
- d. Told Councilmember Berger at a follow up meeting that this was a done deal. Council has to vote to approve. Council has no choice. Berger asked Mayor to make a

- counterproposal to CVFD to include an 8% increase in the prior contract price for 1 year. Mayor agreed to pass the proposal along to CVFD but did not.
- e. Council asked mayor to approach Russell Township and request a proposal for fire/EMS services for calendar years 2026-2028. Mayor said he would go to a Russell Township Trustees' meeting. Sent email to ask but included proposal numbers from CVFD in the email to Russell Trustees. The Mayor did NOT ask Russell Trustees for a proposal at Russell Township Trustees' meeting.

Bell continued:

- f. Sent email following morning to Fire Chief Zukan telling him that Russell Township Trustees would not quote. Mayor said that he would ask for a vote from Council on October 13th.
- g. Council members went to the October 2, 2025, Russell Township Trustees meeting and got a commitment from the Trustees to provide a fire/EMS proposal to the Village.
- h. Meanwhile, Mayor texted CVFD Chief Zukan on September 25, 2025, informing him that Council would ask Russell Township Trustees for a quote.
- i. Mayor told Village community members prior to October 13th that the Village had committed to CVFD and needed to honor that commitment. The Mayor has no authority to commit the Village without prior Council approval.

Because of the Mayor's unauthorized actions, Council was compelled to approve the contract with CVFD;

WHEREAS, Mayor Koons acted without authorization or approval from Council when he informed the Kensington Green Homeowners Association ("KGHOA"), in negotiations with the Village for a proposed easement agreement, that the Village would reimburse KGHOA for legal fees incurred by it to review the agreement; however, Council was able to step in and prevent such actual reimbursement of legal fees to KGHOA;

WHEREAS, Mayor Koons acted without authorization or approval from Council when, during negotiations between the Village and the Whitetail Run Community Association ("WRCA") for a proposed easement agreement for a stormwater project, he offered the WRCA a three-year payment plan at ten thousand dollars (\$10,000) per year for the easement agreement; however, Council was able to step in and stop this action;

WHEREAS, Mayor Koons acted without authorization or approval from Council when he accepted a match grant funding proposal from NOACA, committing the Village to a minimum two hundred-thousand-dollar (\$200,000) investment (as of 25 November 2025, the commitment will be a minimum of \$600,000 and, potentially, more than \$1,000,000) and providing a timeline for project completion, including a 2026 ribbon cutting ceremony to the public when Council has not to date approved the project;

WHEREAS, Mayor Koons acted inappropriately and without the approval of Council in situations where the Village has hired new employees.

- a. Mayor was repeatedly informed of Village rules for hiring new employees. Mayor was repeatedly asked not to contact references until initial interviews had taken place and department heads were ready to proceed to the next step.
- b. On one occasion, Mayor personally went to a neighboring community to inquire about an applicant that had worked there. Mayor Koons did not have the authorization

paperwork to receive/review the employee file nor had the department head made the decision to move forward with the candidate at that time.

- c. On one occasion, Mayor contacted a neighboring community to ask about an applicant that subsequently declined to interview.
- d. On multiple occasions, the Mayor took female applicants to lunch to interview one on one after being advised not to;.

Porter continued:

WHEREAS, Mayor Koons acted without authorization or approval of Council by informing the Geauga Fresh Farmers Market that it may convene on Village property without an agreement, reviewed by the solicitor, that included proof of insurance;

WHEREAS, Mayor Koons acted without notice to the Park Committee or Council and without authorization or approval of Council by committing the Village to pay vendors in connection with the Fall Festival 2025;

WHEREAS, Mayor Koons disregarded the chain of command by directing Village employees, contrary to the instructions of their department heads, to perform certain tasks, including disseminating confidential information and thereby jeopardizing an ongoing police investigation;

WHEREAS, Mayor Koons acted without authorization or approval of Council by directing select Village employees to be dismissed early from work and paid for the entire work shift, while requiring other employees to finish their work shift at their usual rate of compensation;

WHEREAS, Mayor Koons acted without authorization or approval of Council when the Mayor invited select Village employees to Village sponsored events, with compensation during such events and providing meals at the Village expense; and

WHEREAS, Mayor Koons was required by Council to attend sensitivity training in the workplace at his own expense due to issues raised by personnel;

WHEREAS, Mayor Koons, fully aware of Ohio's Sunshine Laws, did on December 1, 2025, send an email to a majority of members of the Parks Committee requesting their action by text response in contravention to Ohio Sunshine Laws;

NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of South Russell, that:

SECTION 1. The Council members of the Village of South Russell have NO confidence, and NO trust, in the Mayor to effectively lead the Village of South Russell.

SECTION 2. The Council members of the Village of South Russell respectfully and willingly submit this vote of NO Confidence to the Citizens of the Village of South Russell.

SECTION 3. The Council members of the Village of South Russell urge the Citizens of the Village of South Russell to consider the actions of the Mayor going forward in light of this Resolution of NO confidence, and NO trust, because the Citizens of the Village of South Russell deserve better.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 5. That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason to immediately inform the Village citizens; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Resolution shall be in full force and effect from and immediately upon its passage by this Council.

Berger made a motion to waive readings, seconded by Bell. Roll call – ayes, all. Motion carried. Berger made a motion to adopt, seconded by Porter. Roll call – ayes, all. Motion carried. **RES 2025-77**

The Mayor stated that he has always tried to do what is best for the residents and he looked forward to addressing each and every one of the statements at the proper time. He asked anyone with questions to contact him, adding that there is a Council meeting on Monday, January 5, 2025, at 7:00 p.m.

ADJOURNMENT: Being that there was no further business before Council, Porter made a motion to adjourn at 9:17 a.m., seconded by Cavanagh. Voice vote – ayes, all. Motion carried.



William G. Koons, Mayor

Prepared by Leslie Galicki



Danielle Romanowski, Fiscal Officer

