

**VILLAGE OF CHAGRIN FALLS**  
**July 9, 2018 Regular Council Meeting 7:00 P.M.**

- 1) Pledge of Allegiance
- 2) Roll call and action concerning absentees
- 3) Approval from the minutes from the Regular Council Meeting held June 25, 2018.
- 4) Report of the Mayor William A. Tomko
- 5) Report of the Finance Director David B. Bloom
- 6) Members of the public to speak to agenda items  
(Not to exceed two (2) minutes per person.)
- 7) Report of the Law Director Dale H. Markowitz
  - A. Legislative Docket: Disposition of legislation, including any public hearings on legislation.
    1. **Ordinance No. 2018-44** - An ordinance establishing a funding mechanism for the Cemetery-Perpetual Care Fund. 1<sup>st</sup> Reading 6-25-18.
    2. **Resolution No. 2018-48** - A resolution in support of the City of Solon application for a grant from the Ohio Department of Natural Resources for a hiking/biking trail along former Chagrin Falls and southern railroad right-of-way. New legislation.
- 8) Council Committee Reports:
  - a) Streets & Sidewalks Committee Erinn Grube
  - b) Facilities & Services Committee Jan Evans
  - c) Planning & Zoning Commission Nancy Rogoff
  - d) Safety Committee Angie DeBernardo
  - e) Utilities Committee James Newell
  - f) Board of Zoning Appeals Karl Maersch
  - g) Administration & Compensation Committee Julia Lipp
  - h) Finance Committee Karl Maersch
  - i) Parks Commission Erinn Grube
  - j) Shade Tree Commission Angie DeBernardo
  - k) Arts Commission Nancy Rogoff
  - l) Parking Commission James Newell
  - m) Cemetery Commission Julia Lipp

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| 9)  | Report of the Chief Administrative Officer                                | Rob Jamieson                                   |
| 10) | Report of the Engineer  | Tim Lannon                                     |
| 11) | Report of the Police Chief  | Amber Dacek                                    |
| 12) | Report of the Fire Chief  | Frank M. Zupan                                 |
| 13) | Members of the public to speak to any matter<br>(not to exceed 5 minutes) | Kerry Nelson-<br>License plated small vehicles |
| 14) | Miscellaneous   |  |
| 15) | Adjournment   | <hr/>  |

**ORDINANCE NO. 2018-44**  
**INTRODUCED BY: MAYOR & COUNCIL**

**4119**

**AN ORDINANCE  
ESTABLISHING A FUNDING MECHANISM FOR THE  
CEMETERY-PERPETUAL CARE FUND.**

**WHEREAS**, the Village of Chagrin Falls maintains the Evergreen Hill Cemetery and grave sites remain available for sale; and

**WHEREAS**, the Village previously established a Cemetery-Perpetual Care Fund which has been depleted by transfer of the monies in that fund to the general fund for Village purposes other than funding the maintenance and perpetual care of the Evergreen Hill Cemetery; and

**WHEREAS**, Council has determined that a policy should be mandated to require that a percentage of all grave sales shall be placed in the Cemetery-Perpetual Care Fund (“**Fund**”) and the Fund be used solely for perpetual care and maintenance of the Evergreen Hill Cemetery and the graves, crypts and columbarium niches at such cemeteries, and any other cemetery the Village may establish, unless two-thirds (2/3) of Council determines, due to financial exigencies, that the Fund must be utilized for other Village purposes.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That upon the sale of every grave, crypt and columbarium niche in any cemetery owned by the Village that twenty percent (20%) of the gross revenue received from the sale of such grave, crypt or columbarium niche be placed into the Fund. The Fund shall be used for the purpose of maintaining all cemeteries owned by the Village and for perpetual care of all graves, crypts and columbarium niches in all Village cemeteries.

SECTION 2. In the event that the Village Council determines that the Fund must be utilized for other Village purposes, due to financial exigencies, upon approval of at least two-thirds (2/3) of the Members of Council, the Fund may be utilized for other Village purposes, and in such event, the Village Council shall determine if the percentage of sales of graves, crypts and columbarium niches that is placed in the Fund should be increased to make up the deficiency from diverting the Fund to other Village purposes, in which event this Ordinance shall be amended to increase the percentage of gross revenue from grave, crypt and columbarium niche sales to be placed in the Fund until such time as the funds are replenished to a level satisfactory to the Village Council.

SECTION 3. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

**ORDINANCE NO. 2018-44**  
**INTRODUCED BY: MAYOR & COUNCIL**

SECTION 5. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Karl Maersch, Council President

Submitted to the Mayor for  
his approval on this

\_\_\_\_ day of \_\_\_\_\_, 2018

Approved by the Mayor this

\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor William Tomko

I hereby certify that Ordinance No. 2018-\_\_\_\_\_ was duly enacted on the \_\_\_\_ day of \_\_\_\_\_, 2018, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

\_\_\_\_\_  
Clerk of Council

**RESOLUTION NO. 2018-48**  
**INTRODUCED BY: MAYOR & COUNCIL**

**4123**

**A RESOLUTION IN SUPPORT OF THE CITY OF  
SOLON APPLICATION FOR A GRANT FROM  
THE OHIO DEPARTMENT OF NATURAL  
RESOURCES FOR A HIKING/BIKING TRAIL  
ALONG FORMER CHAGRIN FALLS AND  
SOUTHERN RAILROAD RIGHT-OF-WAY.**

**WHEREAS**, the City of Solon is seeking a Grant from the Ohio Department of Natural Resources (“ODNR”) to assist in the acquisition and development of a hiking/biking trail along the former Chagrin Falls and Southern Railroad right-of-way and would connect through the Cleveland Metro Parks’ property in Bentleyville and connect to Chagrin Falls; and

**WHEREAS**, the construction of such hiking/biking trail would be beneficial to the residents of the Village of Chagrin Falls and provide opportunities for hiking and biking along the trail; and

**WHEREAS**, the project is supported by the Mayor of Chagrin Falls and representatives from the Cleveland Metro Parks, the Western Reserve Land Conservancy and the Chagrin River Watershed Partners; and

**WHEREAS**, Congress has promulgated a Federal program called Rails to Trails in order to promote redevelopment of abandoned railroad right-of-ways for trail use.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, COUNTY OF CUYAHOGA, AND STATE OF OHIO:**

**SECTION 1.** The Village of Chagrin Falls hereby publicly declares its support for the City of Solon’s application to ODNR to obtain a Grant in order to be able to acquire and develop the hiking/biking trail that will connect to the Village of Chagrin Falls.

**SECTION 2.** The Clerk of Council is hereby directed to forward a copy of this Resolution to the Mayor of the City of Solon.

**SECTION 3.** That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

RESOLUTION NO. 2018-48  
INTRODUCED BY: MAYOR & COUNCIL

**SECTION 4.** That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Resolution shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

**SECTION 5.** That this Resolution shall take effect and be in full force and effect upon the earliest date allowed by law.

PASSED: \_\_\_\_\_, 2018

\_\_\_\_\_  
Karl Maersch, Council President

Submitted to the Mayor for  
his approval on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2018

Approved by the Mayor

\_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor William Tomko

I hereby certify that Resolution No. 2018-\_\_\_\_\_ was duly enacted on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

\_\_\_\_\_  
Clerk of Council