

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SRTTROP11

Held

AUGUST 8,

20 16

The meeting of the Council of the Village of Chagrin Falls was called to order at 7:00 p.m. by Mr. Maersch.

Member present: Berkobein, Lutz, Maersch, Newell, Rogoff
 Members absent: Muscenti
 Officials present: Mayor Tomko, Bloom, Himes, Alunni, Markowitz, Brosius, Lannon

Moved by Mrs. Lutz, seconded by Mr. Newell that the absence of Mr. Muscenti be excused. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None.

APPROVAL OF MINUTES

Moved by Mr. Newell, seconded by Mrs. Lutz that the minutes of the meeting held July 25, 2016 be approved. Carried. Ayes: Berkobein, Lutz, Newell, Rogoff. Abstain: Maersch. Nays: None.

REPORT OF THE MAYOR

Mayor Tomko said tonight is Chief Brosius' last night as Chief of Police at a Council meeting. Jim, let me begin by thanking you for your many years of service to both the village and the community at large. In addition, I want to thank you for the many personal hours you've given to boosting our village and the many nonprofit organizations in our village. You've built the kind of department that both you and the village can be proud of. You made community policing a core value of the department. You had instilled in the department the paramount importance of working with the community. You have made it mandatory that your officers attend Certified Law Enforcement Executive Training and Police Executive Leadership Colleges. These are like graduate schools for the police academy. You leave the village in the safe hands of a well trained and well led department. In addition to your leadership of the department, you've been an outstanding steward of the village's residents' tax dollars. You've been a leader in the efforts to regionalize those functions where economies of scale can save dollars upon approving services. You were a leader in forming the Valley Enforcement Group, the Accident Investigation Unit for major traffic accidents, and the Council of Governments that regionalized the 911 dispatch. This alone has saved the village hundreds of thousands of dollars. In addition, you have greatly expanded Safety Town and have created the bike rodeo for our children's safety. You paid for these programs with privately raised funds. Chief, you leave Chagrin Falls the kind of place that we can all be proud to call home and you leave the department well trained with a high morale and confident strong leadership hands. This forever will be your legacy to us and we thank you for it sincerely.

Mr. Maersch said I have always found you to be an absolute class act and in the short time that I have been in this role you have been extremely helpful to me and extremely supportive of me and what we are trying to accomplish here and I appreciate that. The Chief served our country in Vietnam. He was a load master on a C-130 in the Air Force. The Chief's plane, the C-130, is the one that we all know because it is the one that flies over the Memorial Day parade every year. The Chief was

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sworn in 1970 in Shaker Heights. That is 46 years of being on the force and serving the community; that is quite a legacy that you leave. You were sworn in here on April 1, 1994, which is a long legacy here in Chagrin Falls and we thank you for your service. You really have done a tremendous service to our community and created a community that we all want to live in and raise our children. On behalf of me and Council, thank you very much.

Ms. Rogoff said I appreciate the support that you have given to the Juvenile Diversion Program. I had the privilege of participating in it and I think it is a great thing for the community to help our juveniles and not have to go downtown to juvenile court on their first misadventure. I have appreciated that and I think it has been a good thing for the village.

Mrs. Lutz said it goes along with the atmospheric of accessibility that you always fostered. I always found the police department open to any of my questions or situations.

Steve Patton said Jim, you've been supportive of the Council, the village, and the community and we thank you for that.

Mr. Berkobein said congratulations and best of luck to you.

Mr. Newell said I am fortunate that I was old enough when I moved into this village, had no children, and I didn't have any reason to have any interaction with the police and I didn't go looking for reasons. It is only through my time on Council that I have gotten to know the police department, and in particular the Chief, and it has been a real joy; it is always a pleasure. You are a very good problem solver and you are an excellent communicator. You have developed some wonderful skills that are a legacy that will continue after your final days here. You have a great department and we get nothing but good comments from all their efforts and that is a tribute to your work. We thank you.

Chief Brosius said I started my career in Chagrin Falls on April 1, 1994. My wife loved to visit the village and it was always her dream to live here and be a part of this community. When I found out that there was opening here in Chagrin Falls I sent a letter to Mayor Ed Towns and I applied for the Chief's job. Once I completed my interview with the mayor he invited me back for a second interview with other persons involved in the selection process. Then on February 24th Mayor Towns called me at home, asked me a few more questions, and then asked if I would consider the Police Chief position for the Village of Chagrin Falls. On March 1st Mayor Towns sent a letter to me confirming my appointment to the position of Chief of Police. I still have that letter. I couldn't have asked for a better place to be and I am grateful for having had the privilege of servicing this community for so many years. I have worked with some wonderful, capable, and professional people during my tenure here. Any successes and achievements I have had in Chagrin Falls are a direct result of their effort, support, and loyalty. I am very thankful for all you guys. I have never been in a situation where we had any real problems; we worked so well together and helped each other out. I just want you to know how much I appreciate all of you

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guys. It has been a great ride for me. I've spent almost 46 years in law enforcement and when I started I never even looked ahead to retirement. I never thought that this would happen. I truly love what I do and I've always wanted to do this all my life. I just believed these days would never end until I starting seeing my name creeping up on the seniority list. It is now time for me to move on for the next event in my life. I am not exactly sure what all that will encompass, however, I leave you knowing that the Chagrin Falls Police Department is in good hands and in good working order. I am confident that my successor, Chief Amber Dacek, and her staff which includes Lt. Weiskopf, will bring the Chagrin Falls Police Department to the next level. I know it is time for me to move on and I will leave you with this quote by Malcolm Muggeridge: "Few men of action have been able to make a graceful exit at the appropriate time". This is the appropriate time for my graceful exit.

REPORT OF THE FINANCE DIRECTOR

No report.

MEMBERS OF THE PUBLIC TO SPEAK TO AGENDA ITEMS (NOT TO EXCEED TWO (2) MINUTES PER PERSON)

None.

CODIFIED ORDINANCES AMENDED

Mr. Maersch placed on the floor Ordinance No. 2016-29 entitled:

AN ORDINANCE AMENDING EXISTING SECTION 124.01(A) AND (B) AND 124.04(A) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS IN ORDER TO INCREASE THE INCOME TAX RATE FROM 1.5% TO 1.85% BEGINNING JANUARY 1, 2017, WITH THE INCREASE TO BE ALLOCATED SOLELY TO THE PERMANENT IMPROVEMENT FUND AND DECLARING AN EMERGENCY.

Moved by Ms. Rogoff, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None. Mr. Markowitz said this does need to be passed and enacted subject to approval by the voters.

DEPOSITORIES FOR ACTIVE FUNDS

Mr. Maersch introduced Resolution No. 2016-45 entitled:

A RESOLUTION DESIGNATING HUNTINGTON NATIONAL BANK, PNC BANK, KEY BANK, FIRST FEDERAL OF LAKEWOOD, AND FIRST MERIT BANK AS A DEPOSITORY FOR ACTIVE FUNDS OF THE VILLAGE OF CHAGRIN FALLS, OHIO FOR A PERIOD OF FIVE YEARS BEGINNING AUGUST 24, 2016.

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Moved by Mr. Newell, seconded by Mrs. Lutz that the resolution be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None. Mr. Markowitz said this is something that has to be done every five years.

DEPOSITORIES FOR INTERIM DEPOSITS

Mr. Maersch introduced Resolution No. 2016-46 entitled:

A RESOLUTION DESIGNATING HUNTINGTON NATIONAL BANK, PNC BANK, KEY BANK, FIRST FEDERAL OF LAKEWOOD, AND FIRST MERIT BANK AS DEPOSITORY FOR INTERIM DEPOSITS OF THE VILLAGE OF CHAGRIN FALLS, OHIO FOR A PERIOD OF FIVE YEARS BEGINNING AUGUST 24, 2016.

Moved by Mr. Newell, seconded by Mrs. Lutz that the resolution be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None.

CITY OF CLEVELAND AGREEMENTS

Mr. Newell introduced Ordinance No. 2016-47 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO THE MASTER METER WATER SERVICE AGREEMENT WITH THE CITY OF CLEVELAND AND AN AMENDMENT TO A MUNICIPAL UTILITY DISTRICT AGREEMENT WITH THE CITY OF CLEVELAND, AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Mrs. Lutz that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None. Mr. Newell said this basically is an amendment to reduce the minimum amount of water that the village is required to purchase from the Cleveland City Water Department. It basically puts us in a way that we can use our wells more and reduce our annual bill to the City of Cleveland Water Department. It was a 3-0 vote from the Utilities Committee that this be sent to Council as an emergency.

Mayor Tomko said there were several big holes in our financial structure and one of those holes was the water department where we have millions of dollars of needed Capital Improvements. About 25%-30% of the village's underground water lines need to be replaced; we are having more frequent breakages. On the Capital Improvement Budget that we all went over in May, we had nothing but questions marks in there because we didn't know where they money was coming from. With this contract we can now affirmly say that we have a source of funds to fund the water improvement. Over the next ten years this water revision will generate just under 2.3 million dollars that can be utilized for the Capital appropriations necessary within the water department.

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Had this not been secured, to secure 2.3 million dollars in other revenues would have been a rate increase that would have been \$135 per water connection per year, which is a huge increase. We no longer need that. We have a win-win with the Cleveland water contract. With this contract Chagrin Falls has two water sources so our water security is secured now into the mid 21st Century. That is one box we can check off and we don't need to worry about it any more.

Mr. Maersch said my understanding of this issue is a couple of things. One, we entered into a water contract with the City of Cleveland at a time when water usage was significant. Since that time, due to a variety of factors, water usage has dropped such that we no longer need all of the requirements that we were contractually obligated to take. He read from a memo from Ben Himes: "We currently produce well water from our own wells at \$2.80 per thousand gallons compared to buying it from Cleveland at a cost of \$4.78 for the same volume". Mr. Maersch said according to the memo this will save us \$50,000 next year and ramp up to 2021 when it saves us nearly \$350,000 annually, which as you pointed out, can be used for needs that we have. From my perspective this is a huge win for us.

Mr. Markowitz said the Mayor persevered because it was not easy to get through to the water department. The Mayor just kept tapping every potential source, every contact. He did an amazing job to get us to the point where we got their attention and perform, what I consider a miracle, to get them to agree to make these changes. Hats off to the Mayor, he was relentless and got this accomplished.

Mayor Tomko said it is a win for the village and it was a team effort on behalf of all of us.

VARIANCE REQUEST - 59 WEST WASHINGTON STREET

Mr. Maersch introduced Administrative Order No. 2016-48 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING A VARIANCE REQUEST OF STEPHANIE DENNIS FOR PROPERTY LOCATED AT 59 WEST WASHINGTON STREET.

Moved by Mr. Newell, seconded by Mrs. Lutz that the administrative order be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None. Mr. Markowitz and Mr. Maersch explained the specifics of the variance request. The Board of Zoning Appeals unanimously recommended the approval to Council.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

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No report.

PLANNING AND ZONING COMMISSION

Ms. Rogoff announced a meeting for Monday, August 15, 2016 at 7:30 p.m.

SAFETY COMMITTEE

Moved by Ms. Rogoff, seconded by Mrs. Lutz to approve that Amber Dacek be named Police Chief of Chagrin Falls effective August 20, 2016. Carried. Ayes: Berkobein, Lutz, Maersch, Newell, Rogoff. Nays: None.

UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

No report.

ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

FINANCE COMMITTEE

No report.

PARKS COMMISSION

Mrs. Lutz said we are still working on the bike racks and we have all the locations, with the exception of one which is on private property, confirmed and they will be installed soon.

SHADE TREE COMMISSION

No report.

ARTS COMMISSION

No report.

PARKING COMMISSION

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Mr. Newell reported that the Parking Commission was formed at the beginning of the year and started meeting in March with a goal of putting together a Comprehensive Parking Concept. We worked on it from March through July and lot of decisions were made.

Mr. Newell and Mike Corkran, member of the Parking Commission, explained some of the specifics of the Comprehensive Parking Concept.

Mr. Maersch thanked Mr. Corkran for chairing this committee. He said this is high quality work and really impressive. You have managed to advance the ball significantly in a very short period of time.

There was further discussion, comments were heard, and questions were answered.

Mr. Newell said the Committee will continue to gather more information and more specifics.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

Mr. Himes said just to emphasize the Mayor's point on water infrastructure, we had a water main leak at Walnut Street and Washington Street. They are going to excavate it tomorrow morning.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

The Chief's report is under the Mayor's report.

REPORT OF THE FIRE CHIEF

Mr. Alunni said Chief Brosius has been a great person to work with. He said he is excited to work with Amber; she's great. Chief Brosius will be missed.

MEMBERS OF THE PUBLIC TO SPEAK TO ANY MATTER (NOT TO EXCEED FIVE (5) MINUTES)

None.

MISCELLANEOUS

None.

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ADJOURNMENT

Mr. Maersch adjourned the meeting at 8:00 p.m.



President of Council



Clerk of Council