

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held

JUNE 12,

20 17

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, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff
 Members absent: None
 Officials present: Mayor Tomko, Bloom, Himes, Zugar, Markowitz, Dacek, Lannon

APPROVAL OF MINUTES

Moved by Mr. Newell, seconded by Ms. Rogoff that the minutes of the meeting held May 22, 2017 be approved, as amended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

REPORT OF THE MAYOR

No report.

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.

REPORT OF THE LAW DIRECTOR**PROPOSED AMENDMENT TO THE CHARTER**

Mr. Markowitz placed on the floor Ordinance No. 2017-27 entitled:

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF CHAGRIN FALLS A PROPOSED AMENDMENT TO THE VILLAGE CHARTER TO LENGTHEN THE PERIOD OF TIME WHEN A SPECIAL RECALL ELECTION WOULD BE HELD, IN ORDER TO COMPLY WITH THE OHIO REVISED CODE AND TIME LIMITATIONS IMPOSED ON THE CUYAHOGA COUNTY BOARD OF ELECTIONS AND TO PROVIDE THAT SPECIAL RECALL ELECTIONS WOULD BE HELD NOT LESS THAN SIXTY (60) NOR MORE THAN NINETY (90) DAYS AFTER THE DATE OF DELIVERY OF A PETITION FOR RECALL AS SET FORTH IN CHARTER SECTION X-2.

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Mr. Maersch said this will remain on readings.

WALTERS ROAD REHABILITATION PROJECT

Mr. Berkobein introduced Resolution No. 2017-29 entitled:

A RESOLUTION AUTHORIZING THE VILLAGE ENGINEER TO PREPARE PLANS, SPECIFICATIONS, BID PROPOSALS, AND A COST ESTIMATE FOR THE WALTERS ROAD UTILITIES AND ROADWAY REHABILITATION PROJECT.

Moved by Mr. Mitchell, seconded by Mr. Newell that the resolution be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Himes said at this point in the year they really need to get this project moving or they are going to be struggling to complete it by the end of the year. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

WALTERS ROAD SIDEWALK & SOUTH FRANKLIN STREET SIDEWALK

Mr. Berkobein introduced Resolution No. 2017-30 entitled:

A RESOLUTION AUTHORIZING THE VILLAGE ENGINEER TO PREPARE PLANS, SPECIFICATIONS, BID PROPOSALS, AND A COST ESTIMATE FOR THE INSTALLATION OF SIDEWALKS ON WALTERS ROAD AND AT 290 SOUTH FRANKLIN STREET.

Moved by Mr. Mitchell, seconded by Mr. Newell that the resolution be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Himes said the Streets and Sidewalks Committee discussed adding the South Franklin Street sidewalk and the Olive Street sidewalk to this project as assessments on top of the Walters Road sidewalk assessment.

PARKING LEASE/FEDERATED CHURCH

Mr. Newell introduced Ordinance No. 2017-31 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PARKING LEASE WITH THE FEDERATED CHURCH OF CHAGRIN FALLS TO PROVIDE ADDITIONAL PARKING WITHIN THE BUSINESS DISTRICTS OF THE VILLAGE AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Ms. Rogoff that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mr. Mitchell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff.

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Nays: None. Mr. Markowitz said this is pretty much the same lease that they are using for the Board of Education and the Lutheran Church. Mayor Tomko said he provided each member of Council with a mailing that he will send out to all of the businesses in the village indicating where they will be providing the additional parking spaces. Mr. Newell said these parking spaces, and the subsequent ordinance for the lease of the school property, are going to be provided as free off-site parking for employees within the village, which is to encourage them to get off the main streets. This will also save them money by not having to feed the parking meters and pay fines.

PARKING LEASE/BOARD OF EDUCATION

Mr. Newell introduced Ordinance No. 2017-32 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PARKING LEASE WITH THE BOARD OF EDUCATION OF THE VILLAGE OF CHAGRIN FALLS EXEMPTED VILLAGE SCHOOLS TO PROVIDE ADDITIONAL PARKING WITHIN THE BUSINESS DISTRICTS OF THE VILLAGE AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Ms. Rogoff that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Markowitz said the Board of Education has signed this lease. Mayor Tomko said the school doesn't know exactly when the demolition is going to start. They are assuming that it will start promptly and probably there is no ability to lease any additional parking spaces while that is going on. They are going to evaluate it after that time period. If demolition isn't going to start until maybe October he assumes that they could extend it for another six weeks. With those additional spaces he feels they have more than replaced the spaces that they lost as available to the employees outside of the plaza and Heinen's and they will see if they use them. The village is giving them a free option if they are willing to walk 700-1,000 feet.

Mr. Newell said when the Parking Commission first started talking about a parking plan they agreed very early on that they can't start penalizing and putting up parking meters and restricting parking locations without providing additional space. That was in March of 2016 so it has taken a little bit of time and with the perseverance of the Mayor he has gotten these two leases and they are working on a third lease.

T-MOBILE LEASE AGREEMENT

Mayor Tomko introduced Ordinance No. 2017-33 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A TOWER LEASE AGREEMENT WITH T-MOBILE, CENTRAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, CONCERNING THE USE OF A TOWER

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AND LAND SPACE OWNED BY THE VILLAGE OF CHAGRIN FALLS, 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, DeBernardo, Lutz, Maersch, Newell, Rogoff. Abstain: Mitchell. Nays: None. Moved by Mr. Newell, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Newell, Rogoff. Abstain: Mitchell. Nays: None. Mr. Markowitz said this is very similar to the lease the village has with Verizon. They agreed to almost the same terms it is just that the location of the tower is different and the location of the equipment is different. The monetary amount is the same; it is \$24,000 a year with a \$1,000 signing bonus and the renewal terms go up 2% yearly.

ZONING CODE AMENDED

Ms. Rogoff introduced Ordinance No. 2017-34 entitled:

AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF CHAGRIN FALLS AND CHAPTER 1153, SOLAR ENERGY SYSTEMS.

Mrs. Rogoff placed this ordinance on readings and announced a public hearing for Monday, July 10, 2017. Comments were heard and questions were answered.

POLICY AND PROCEDURES MANUAL AMENDED

Mrs. DeBernardo introduced Ordinance No. 2017-35 entitled:

AN ORDINANCE AMENDING THE POLICY AND PROCEDURES MANUAL FOR EMPLOYEES OF THE VILLAGE OF CHAGRIN FALLS AND DECLARING AN EMERGENCY.

Mr. Markowitz said this is a really good improvement to what they currently have. Mrs. DeBernardo said it mostly contains updates to the FMLA as well as clarifying reporting procedures for employees should they have problems with the work environment. The Administration and Compensation Committee voted 2-0 to approve this and recommend it to Council. Mrs. DeBernardo placed this ordinance on readings.

CHAGRIN VALLEY CHAMBER OF COMMERCE AGREEMENT

Mr. Maersch introduced Ordinance No. 2017-36 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE4 CHAGRIN VALLEY CHAMBER OF COMMERCE AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Mr. Mitchell that the requirement for reading an ordinance

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three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Himes said they had one agreement that covered both the Chagrin Valley Chamber of Commerce and Your Home Town and designated various things that they were doing that the village was reimbursing them for. Because over time those things have evolved and the dollar amounts are different so they felt it best to rewrite the agreements. There is now one agreement with the Chamber of Commerce and one agreement with Your Home Town. Your Home Town has not yet approved their agreement.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

No report.

PLANNING AND ZONING COMMISSION

Ms. Rogoff announced a meeting for Monday, June 19, 2017 at 7:30 p.m.

SAFETY COMMITTEE

No report.

UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

No report.

ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

FINANCE COMMITTEE

Mr. Maersch announced that there will be a Finance Committee meeting after this Council meeting.

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PARKS COMMISSION

No report.

SHADE TREE COMMISSION

Mrs. Lutz reported that they will be doing air knifing and they are creating a tree planting plan for Evergreen Hill Cemetery. They would like to create a pocket park at Franklin Park, which is not very well decorated yet. They have approved the permeable material that is used in beds instead of mulch; it seems to be working out very well.

ARTS COMMISSION

Ms. Rogoff announced a meeting for Monday, July 17, 2017 at 6:00 p.m.

PARKING COMMISSION

No report.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

None.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

Chief Dacek reported that there were minimal issues during Blossom Time. She also reported that they purchased a concealable radar tracking device and they are working out the bugs as far as how to use it. They did use it on Maple Street and it showed that the average speed was 28 mph, which is better than what they had thought. It will be placed in various locations to monitor where traffic enforcement may be needed. She mentioned that Safety Town begins in July.

REPORT OF THE FIRE CHIEF

Chief Zupan reported that their promotional process is complete so at the next Council meeting the Mayor will be swearing in a Lieutenant and a Captain.

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

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MISCELLANEOUS

Mrs. DeBernardo asked for an update on the pedestrian safety grant. Mr. Himes said they received a Cuyahoga County supplemental grant for \$40,000 but they did not receive a Transportation for Liveable Communities Implementation Grant.

ADJOURNMENT

Mr. Maersch adjourned the meeting at 7:48 p.m.



President of Council



Clerk of Council