

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held AUGUST 28, 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, Markowitz, Zugan, Dacek, Lannon

REPORT OF THE MAYOR

It is with a deep sense of sincere appreciation and sadness that I announce Ben Himes', our Chief Administrative Officer, retirement. Ben will be retiring effective December 31, 2017. Ben has served our community with distinction for 40 years; in fact Ben has served our community with distinction for all of his adult life. Ben worked summers for the village's utility department beginning in 1977 while in high school and was hired full time in 1985. Ben earned a degree in civil engineering while working for the village and provided critical leadership in replacing and upgrading our village's infrastructure. Ben was also the leader in implementing our 2005 Street Scape Program that revitalized our downtown commercial district. For all who know him and have worked with him, and most especially me, it was a privilege to have worked with Ben and he will be missed. Ben has agreed to continue to serve as an independent consultant to the village as we develop plans for the waste water treatment plant upgrade and the negotiations with Geauga County and other utility matters. I am sure that all of you will join me in thanking Ben for his service and wish him a long and happy retirement.

We will be creating the position of Assistant Chief Administrative Officer for the balance of this year and I will be appointing Rob Jamieson, subject to council's approval, to that position. This will allow four months for Rob to work and train with Ben. It is my intention, again subject to council's approval, to appoint Rob to the Chief Administrator's position in January of 2018. Rob has worked for the Village since 2012 as Service Director. Rob holds a B.A. degree in Urban Studies from Cleveland State and a Master's Degree in Public Administration with a concentration in Public Works Administration also from Cleveland State University. Prior to joining the Village Rob worked for the City of University Heights as Service Director and the City of Macedonia as Assistant Service Director. Rob is the Vice-President of Northern Ohio Service Director's Association and a Board member of American Public Works Association Northeast Ohio Chapter. Rob also serves the village as part-time firefighter and emergency medical technician. Rob has proved to be an exceptionally dedicated employee during his tenure as Street Superintendent and both Ben and I have the utmost confidence in his ability to take on the role of Chief Administrative Officer. We should discuss the details of the transition plan at the Administration and Compensation Committee level and I ask that you set a meeting prior to the September 11, 2017 Council meeting.

We have signed the parking software contract and are beginning to plan for its implementation. Our plan is to devote the month of September for the planning of the internal operating changes that are required and to start running dual systems in October. Hopefully, if all goes well, we can switch

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over to the new paperless system in November or December. This will allow us to begin using the new system exclusively by 2018.

We will need some decisions and legislation from Council by 2018. The administration is recommending increasing the maximum parking time to 3 hours with a 1 hour extension. If council agrees, we would then begin enforcing the existing "no meter feeding" ordinance. The parking rate would remain at 50 cents per hour.

This new software provides for payment of meter time with a smart phone app. We will need legislation authorizing the addition of a small convenience fee to be added to the meter charge when paying by app. We are beginning discussions with banks regarding the exact amount but we feel the fee will be small; somewhere around 35 cents to 50 cents per use. We will be making a specific request when we know the exact amount of this proposed fee.

The administration will be recommending the reinstallation of parking meters in the central business district in 2018. Without meters it is simply impossible to enforce the maximum parking time limit. We have listened to the merchants requests to increase the maximum parking time to alleviate "parking time anxiety" but now will need to enforce the new maximum of the proposed 4 hours. We ran an experiment in voluntarily moving all-day parkers out of the main business district. In June we began leasing 76 free all-day parking spaces from the Federated Church and from the Philomethian Street School. The utilization of these free all-day parking spaces has been very low with only 42% utilization at the church and 6% utilization at the school. Voluntary compliance has been shown not to work. As you may recall, we have pledged that all of the net parking revenue will be devoted to maintaining and improving the central business district. We are proposing to not seek replacement of the 1 mill levy for the downtown beatification that expires on December 31, 2018. Parking revenue is our only source of revenue, other than general taxes, that can be used for maintenance and improvements in the commercial district.

We need to start changing the parking behavior in 2018 because the change will be evolutionary. In June of 2019 the county plans to begin replacing the Main Street Bridge. This is estimated to take both of the construction seasons in 2019 and 2020. Two-way vehicle traffic will be maintained but the plan will disrupt both vehicle and pedestrian traffic patterns. In addition to changing the existing vehicle and pedestrian traffic patterns, it will result in the loss of as many as 35 parking spaces on Main-Street; nearly 1/3 of our on-street parking in the central business district. Additionally, some parking may also be lost on River Street. Whatever parking spaces that remain during the construction period will have to be reserved for customer parking and not taken up by all-day parking.

I am quite concerned regarding the effect of the bridge construction on the businesses in Chagrin Falls and intend to call a meeting of business owners in early 2018 to solicit their input and start planning to minimize the potential disruption. The administration has been in ongoing discussions with the county regarding the critical nature of this construction project to the economic viability

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of Chagrin Falls and the necessity to maintain both pedestrian and vehicle traffic and access to the businesses and parks on both the east and west sides of the street. The county originally proposed just closing the bridge to traffic for the construction period which would have been a disaster commercially and would have divided the town in half.

We are not asking for any legislation tonight but I am putting council on notice that some parking decisions are going to have to be made by 2018.

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**CHAPTER 1165 AMENDED**

Mr. Markowitz placed on the floor Ordinance No. 2017-43 entitled:

AN ORDINANCE AMENDING AND RENUMBERING CHAPTER 1165, HILLSIDE PROTECTION, AND AMENDING THE REFERENCE TO SUCH CHAPTER IN SECTION 1149.07(a) OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS AND REPEALING CERTAIN ORDINANCES.

Moved by Ms. Rogoff, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Ms. Rogoff explained that this takes the hillside protection chapter out of the subdivision chapter and creates its own freestanding chapter with its own number. There are a few updates and additions to the intent section. Mr. Maersch opened the meeting up to a public hearing. No comments were heard and Mr. Maersch closed the public hearing.

YOUR HOME TOWN CHAGRIN FALLS CONTRACT

Mr. Markowitz placed on the floor Ordinance No. 2017-47 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH YOUR HOME TOWN CHAGRIN FALLS FOR REIMBURSEMENT FOR PROMOTIONAL PROGRAMS AND SPONSORSHIP FOR HOLIDAY TRADITIONS AND HOLLY HALL.

Moved by Mr. Maersch, seconded by Mrs. DeBernardo to replace Exhibit A that was circulated by Mr. Markowitz to the Clerk of Council on Friday corrected with 2017-47 in the last whereas clause

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for the version that is in our packet. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. 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, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mayor Tomko explained what programs that Your Home Town Chagrin Falls provides and what the village's contribution is to each program.

GREENBRIER SUBDIVISION PROJECT

Mr. Newell introduced Resolution No. 2017-51 entitled:

A RESOLUTION AUTHORIZING THE VILLAGE ENGINEER TO PREPARE PLANS, SPECIFICATIONS, AND BID PROPOSALS FOR THE GREENBRIER SUBDIVISION UTILITIES AND ROADWAY REHABILITATION PROJECT AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Mrs. Lutz that the resolution be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Newell explained that this is for road resurfacing, and water, sewer, and storm drainage. The work is scheduled for next year.

PRADCO CONTRACT

Mrs. DeBernardo introduced Ordinance No. 2017-52 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PRADCO RESEARCH AND DEVELOPMENT CORPORATION FOR EVALUATION OF PROSPECTIVE EMPLOYEES OF 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, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Markowitz explained that this ordinance modifies the terms and conditions between PRADCO and the village.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

No report.

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PLANNING AND ZONING COMMISSION

Ms. Rogoff announced a meeting for Monday, September 18, 2017 at 7:30 p.m.

SAFETY COMMITTEE

Mrs. Lutz asked for an update on the traffic signalization. Mr. Himes said the contractor has submitted detailed plans and they will begin work in October.

UTILITIES COMMITTEE

Mr. Newell reported that at their last meeting they discussed the Greenbrier water issue and he thinks the residents left the meeting convinced that the water is safe and that there are no health issues. He said resident Jim Nerone also agreed to let the electrical inspector inspect the electrical grounding of his house. Mr. Himes said the inspection is scheduled for tomorrow. He said our chemical supplier has recommended a change in chemicals so we will make that change right away and then potentially separate our chlorine injection point and phosphate injection point further to provide for more contact time.

BOARD OF ZONING APPEALS

Mr. Maersch reported that on August 22, 2017 they overturned the Architectural Review Board's denial of a demolition permit for the Spillway property.

ADMINISTRATION AND COMPENSATION COMMITTEE

Mrs. DeBernardo announced a meeting for Monday, September 11, 2017 at 6:30 p.m. and a meeting for Monday, October 9, 2017 at 6:30 p.m.

FINANCE COMMITTEE

No report.

PARKS COMMISSION

Mrs. Lutz reported that the Catsden Garden Club is going to plant 1,000 daffodil bulbs in River Run Park. The bocce ball court is making good progress and they are still working on the stairway from the library to Riverside Park. Regarding the Main Street bridge improvements, Mrs. Lutz reported that the Parks Commission will be involved with the design of the wing walls. There are a couple of new benches in the Bell Street Park and they are deciding what to do in Franklin Park to make it a little more pleasant such as picnic tables, benches, and shrubbery.

SHADE TREE COMMISSION

Mrs. Lutz reported that the Shade Tree Commission is going to help out with the area between the playground and the river in Riverside Park and try to make it more aesthetically pleasing.

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ARTS COMMISSION

No report.

PARKING COMMISSION

No report.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

Mr. Himes reported that last year \$40,000 was budgeted in the Capital Plan for the replacement of the village hall roof. Three proposals were solicited ranging from \$31,800 to \$36,800. It is recommended that we go with the low bid, which was from Castle Roofing.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

Chief Dacek reported that they have been working with the high school regarding the new traffic patterns and they continue with the speed counts by the high school.

REPORT OF THE FIRE CHIEF

Chief Zupan reported that they are going to have an open house on Saturday, October 14, 2017, which will include the police, fire, and service departments. He also reported that their 70th annual Clam Bake will be held on Saturday, October 21, 2017.

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

None.

MISCELLANEOUS

Mr. Maersch reported that the fire department, police department, and the administration had a post Blossom Time recap meeting and it was requested that the Blossom Time Run be changed from 9:00 a.m. to 8:00 a.m. because of safety issues and the Jaycees agreed.

Mr. Maersch said the police department received a request from a resident to have the police department to do an inspection on a street-legal golf cart. He said the Ohio Legislature said you can no longer use under-speed vehicles on a street that has a speed limit greater than 35 MPH and if you want to use under-speed vehicles on a road that has a speed limit of 35 MPH or less your local municipality has to opt in to allow you to use these types of vehicles and it has to meet certain requirements in the code such as turn signals, headlights, taillights, and a rear view mirror.

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The police department asked for an opinion from Mr. Markowitz and he said they shouldn't do the vehicle inspection because Chagrin Falls doesn't have an ordinance that would allow low-speed vehicles on city streets. Chief Dacek said she is adamantly against it; it is a horrible idea. Mr. Maersch said it would slow traffic down and it would cut down on emissions. Mr. Newell said he does not think emissions and air pollution are major concerns in this community and he does not like having a speed restriction in position that creates more of an unsafe environment. Mr. Markowitz said I do not think this would be appropriate for the village. Mr. Mitchell said he agrees with Mr. Newell. Mrs. Lutz said I am opposed to it. Ms. Rogoff said I don't think it is a good idea.

Moved by Mr. Maersch that we refer the issue of allowing under-speed vehicles to be used on Chagrin Falls City streets to the Safety Committee. The motion fails due to a lack of a second.

Mr. Maersch mentioned that he and other members of Council, as well as the Mayor, received an email from an employee of a boutique on Main Street, north of the bridge, where she described a situation where she and her coworkers are subject to cat calls at the hands of the motorcyclists that congregate there at various times and she asked us what can be done. Mayor Tomko said he told her to call the police when an incident occurs because unless we can see who was alleged to have made the cat call we really can't do anything about it from an enforcement standpoint. It is certainly something that we are not in favor of but other than reporting it in a timely manner when it happens to the police there is really not a whole lot that can be done.

ADJOURNMENT

Mr. Maersch adjourned the meeting at 8:20 p.m.

President of Council

Clerk of Council