

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held

DECEMBER 11,

2017

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, Markowitz, Dacek, Zugar, Jamieson, Himes

APPROVAL OF MINUTES

Moved by Mr. Newell, seconded by Mrs. DeBernardo that the minutes of the meeting held November 13, 2017 be approved as amended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

Moved by Mr. Newell, seconded by Mr. Mitchell that the minutes of the meeting held November 27, 2017 be approved as amended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

REPORT OF THE MAYOR

Chief Dacek awarded "Officer of the Year" to Sergeant Scott Safenovitz. She gave an overview of his achievements throughout the years.

Mayor Tomko recognized that this is the last Council meeting for Council members Berkobein, Lutz, Mitchell, and Chief Administrative Officer Himes. Mayor Tomko and Mr. Maersch thanked each one of them for their leadership and service.

Mayor Tomko reported that the savings by regionalizing and then bringing in new members to the Chagrin Valley Dispatch has reduced our capital cost this year by just under \$28,000 and a projected savings for next year is just a little under \$7,000 which would bring the four year savings to just under \$81,000. The benefits and cost savings have been very material to the village. The service and the equipment that is provided is something that we simply couldn't have afforded. The village residents and area residents are better protected and we saved a lot of money by doing this. Mayor Tomko announced his appointments to the following Boards and Commissions:

Architectural Review Board

Phil Koepf Reappointment

Cemetery Commission

Larry Trace Reappointment

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Board of Zoning Appeals

James Holdren Reappointment
 Lisa Kraemer Reappointment

Shade Tree Commission

Gary Nelson Reappointment
 Robert Weitzel Reappointment

Parks Commission

Greta Insolia Reappointment

Parking Commission

Jay Schach Reappointment

Moved by Mr. Maersch, seconded by Mrs. DeBernardo to confirm Mayor Tomko's appointments. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

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**POSITION CLASSIFICATION AND SALARY SCHEDULE AMENDED**

Mr. Markowitz placed on the floor Ordinance No. 2017-77 entitled:

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION AND SALARY SCHEDULE FOR VARIOUS POSITIONS WITHIN THE VILLAGE OF CHAGRIN FALLS, AND DECLARING AN EMERGENCY.

Moved by Mr. Maersch, seconded by Mrs. DeBernardo to strike in the line 1 police-traffic officer-part-time 11 I would replace the 1 with a 2. Carried. Ayes: Berkobein, 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

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that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mrs. DeBernardo said this is a 3% cost of living increase proposed to us by the Mayor. The Administration and Compensation Committee found that it was in line with the 2% to 3% increases that are being given throughout the Chagrin Valley and other municipalities. It is also in line with Social Security going up by 2% and with the Consumer Price Index. In 2017 a 3% increase is the average cost of living increase. Our committee recommended that Council approves this 3% increase for the year 2018. I would also like to say that we need to amend the first page of this ordinance because the position schedule only lists one traffic officer and it needs to be changed to 2 part-time traffic officers before we vote. Mrs. Lutz said you might want to point out that the employees took far less than the cost of living in the few years previously. Mrs. DeBernardo said for the last five years, in a review of what the increases have been, we traditionally have given between a zero% increase (in 2015) to a 1.5% increase, which are under the standard cost of living increases for the nation. This is a long overdue normal rate of increase for our employees.

THRASHER, DINSMORE & DOLAN AGREEMENT

Mr. Markowitz placed on the floor Ordinance No. 2017-78 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THRASHER, DINSMORE & DOLAN, A LEGAL PROFESSIONAL ASSOCIATION EFFECTIVE FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2019, 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 Ms. Rogoff, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

AUTHORIZATION TO ADVERTISE FOR BIDS

Mr. Mitchell introduced Ordinance No. 2017-81 entitled:

AN ORDINANCE AUTHORIZING THE CLERK TO ADVERTISE FOR BIDS FOR VARIOUS MATERIALS, SUPPLIES, REPAIRS, AND CONSTRUCTION FOR THE YEAR 2018.

Moved by Mrs. DeBernardo, seconded by Mr. Newell 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. DeBernardo that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Himes said this is an ordinance that we pass every year to authorize bidding of various materials that are fairly routine such as the road program, the sidewalk program, and custodial services. All of the bids once collected will always come to Council for approval.

APPROPRIATIONS FOR EXPENSES AND EXPENDITURES

Mr. Maersch introduced Ordinance No. 2017-82 entitled:

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AN EMERGENCY ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF CHAGRIN FALLS DURING AND FOR THE YEAR ENDING DECEMBER 31, 2017, REPEALING ORDINANCE NO. 2017-11.

Moved by Mr. Maersch, seconded by Ms. Rogoff to amend 2017-82 to strike \$88,000 from the police pension fund amount on page #2 and replace it with \$87,000, also amend on the same page total-special revenue from \$177,500 to \$176,500, and change the grand total on page #3 to strike \$12,348,700 and replace it with \$12,347,700. 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. None. Mr. Maersch said this ordinance is a "close the books" ordinance and authorizes us to spend whatever money we need to spend between now and the end of the year. It repeals the ordinance that had numbers that are essentially the same as they were at the beginning of the year. Mr. Bloom said they are inflated to meet a couple of state auditors guidelines. We can not under-appropriate. Since we don't know in any one case there might be some last minute spending required most of these numbers are inflated and actual numbers at year-end will be lower. He said on page #2 there is a typo under the police pension fund and the \$88,000 should be \$87,000.

HARTFORD LIFE INSURANCE CONTRACT

Mrs. DeBernardo introduced Ordinance No. 2017-83 entitled:

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH HARTFORD LIFE FOR LIFE INSURANCE FOR ALL FULL-TIME EMPLOYEES OF THE VILLAGE OF CHAGRIN FALLS FOR 2018 AND 2019.

Moved by Mrs. DeBernardo, seconded by Mr. Newell 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 Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Newell, Rogoff. Abstain: Mitchell. Nays: None. Mrs. DeBernardo said this was also heard by the Administration and Compensation Committee on Thursday night. This is our life insurance renewal; we do it every two years. We got an increase notice for the life insurance we currently have that was higher than we expected so the administration looked at other providers and found that Hartford Insurance offered the same benefits to our employees at a lower cost and we voted 3-0 to recommend that Council approve this contract with Hartford Life for the next two years to provide life insurance for our full-time employees.

OHIO DEPARTMENT OF SAFETY AGREEMENT

Mrs. Lutz introduced Ordinance No. 2017-84 entitled:

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AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF SAFETY, BUREAU OF MOTOR VEHICLES ("BMV") FOR THE PROVISION AND USE OF INFORMATION REGARDING VEHICLE REGISTRATION RECORDS AND RELATED MATTERS AND DECLARING AN EMERGENCY.

Moved by Mrs. Lutz, seconded by Mr. Newell that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Mrs. Lutz, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mrs. Lutz said it is just a new source of information to gain information about registrations for vehicles. Chief Dacek said essentially if we needed to interface with the BMV to use the new parking software this is an agreement required by the BMV. Primarily it is just insuring that we have proper privacy procedures in place.

ASSISTANT ADMINISTRATOR AGREEMENT

Mrs. DeBernardo introduced Ordinance No. 2017-85 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BENJAMIN HIMES TO WORK PART-TIME IN THE POSITION OF ASSISTANT ADMINISTRATOR TO ASSIST WITH THE PERFORMANCE OF THE FUNCTIONS AND DUTIES SPECIFIED IN THE VILLAGE CHARTER FOR THE CHIEF ADMINISTRATIVE OFFICER AND TO PERFORM OTHER DUTIES REQUESTED BY THE MAYOR.

Moved by Mr. Maersch, seconded by Mrs. DeBernardo to amend 2017-85, the third whereas clause I would like to strike administrative assistant and replace it with assistant administrator. 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. Mrs. DeBernardo said again we heard this at the Thursday meeting. This is to allow Ben Himes, after his retirement at the end of this month, to provide services to us or to help us with work on the water system as well as several other projects. We originally planned to do this on a consulting basis but we found out that we weren't able to do that so instead we are entering into a part-time contract which establishes an hourly rate for Mr. Himes. The Mayor will decide what services we need from Ben and we will consult with him and he will bill us on an hourly rate for his services. The contract starts in March because he has to have two months of not working for the village before he can resume any type of work for the village.

CODIFIED ORDINANCE AMENDMENT

Mrs. DeBernardo introduced Ordinance No. 2017-86 entitled:

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 142.01 TO ADD A COUNCIL REPRESENTATIVE TO THE CEMETERY COMMISSION.

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Moved by Mr. Maersch, seconded by to amend 2017-86 to strike introduced by Mrs. DeBernardo and replace it with introduced by Mr. Maersch. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Maersch said we reformatted the Cemetery Board as a Cemetery Commission so my proposal here is to add a Council representative to participate with the Cemetery Commission much in the same way any of us would participate with the various commissions and committees that we participate on. 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 Mr. Mitchell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

EAGON & ASSOCIATES AGREEMENT

Mr. Newell introduced Ordinance No. 2017-87 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH EAGON & ASSOCIATES, INC. FOR HYDROGEOLOGIC SERVICES FOR THE VILLAGE OF CHAGRIN FALLS WATER SYSTEM 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. Newell said this was right in line with our new contract with Cleveland City Water where we are going to become more reliant on our two wells. Earlier this year Council approved spending some money to have the well pumps pulled and the well casings cleaned. Now we are going to have a hydrogeologist actually evaluate how much water we can pump from the two wells as phase 1 and phase 2 is looking for other potential sources of ground water so that we can become even less dependent on Cleveland City Water. It makes very good financial sense for us to become more autonomous with our water as opposed to buying it from Cleveland.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

No report.

PLANNING AND ZONING COMMISSION

No report.

SAFETY COMMITTEE

No report.

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UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

No report.

ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

FINANCE COMMITTEE

No report.

PARKS COMMISSION

Mrs. Lutz reported that the Parks Commission met and selected the railing that is to be placed on the Main Street Bridge. You can look at it on the village's website.

SHADE TREE COMMISSION

Mrs. Lutz said I have many wonderful memories and it has been an incredibly rewarding experience. It's definitely had its ups and downs but the people I have met and the experiences that we shared and the wonderful friendships that I have made have made it all worth all the time I have put into it.

ARTS COMMISSION

No report.

PARKING COMMISSION

No report.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

Regarding the new pedestrian signal timing, Mr. Jamieson said CT Consultants continues to study it and make adjustments. They did find several issues with the programming and some glitches through the system. We are also looking at some traffic flow issues as well.

REPORT OF THE ENGINEER

No report.

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REPORT OF THE POLICE CHIEF

Chief Dacek reported that the parking meter programming is done and Shop With a Cop was on Saturday. She thanked Mrs. Lutz, Mr. Mitchell, and Mr. Berkobein for their years of service.

REPORT OF THE FIRE CHIEF

Chief Zugan thanked Mrs. Lutz, Mr. Mitchell, Mr. Berkobein, and Mr. Himes for supporting the employees; it is very much appreciated.

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

None.

MISCELLANEOUS

None.

ADJOURNMENT

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



President of Council



Clerk of Council