

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held

FEBRUARY 26,

2018

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: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff
 Members absent: None
 Officials present: Mayor Tomko, Bloom, Jamieson, Alunni, Dacek, Matheny, Lannon

APPROVAL OF MINUTES

Moved by Mr. Maersch, seconded by Ms. Rogoff that the minutes of the meeting held February 12, 2018 be approved, as amended. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None.

REPORT OF THE MAYOR

Mayor Tomko congratulated Fire Marshall Jim Alunni who was awarded the Outstanding Fire Fighter of the Year last night. It is based on his entire term and of particular note was Jim's outstanding commitment to community activity, leadership and fire prevention, and performance as an EMT and a fire fighter.

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 1340 OF THE CODIFIED ORDINANCES AMENDED

Mrs. Matheny placed on the floor Ordinance No. 2018-10 entitled:

AN ORDINANCE AMENDING CHAPTER 1340 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS BY ADDING NEW REGULATIONS AND AMENDING SECTIONS 1340.08 AND 1340.19 AND DECLARING AN EMERGENCY.

Moved by Mr. Maersch, seconded by Ms. Rogoff to replace 2018-10 that is currently on readings with 2018-10 that we have in our packets. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Mr. Maersch said he has a question for Mr. Markowitz regarding 1340.19 and the time frame for an appeal to the Board of Zoning Appeals. Mr. Maersch said we will leave the revised version of 2018-10 on readings.

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NAME ALLEY HIMES WAY

Mrs. Matheney placed on the floor Ordinance No. 2018-11 entitled:

AN ORDINANCE NAMING THE ALLEY STARTING AT WEST WASHINGTON STREET AND ENDING AT CENTER STREET, BETWEEN WALNUT STREET AND WATER STREET AS HIMES WAY AND AMENDING THE TRAFFIC CONTROL MAP FOR THE VILLAGE OF CHAGRIN FALLS.

Moved by Mr. Newell, seconded by Mrs. Evans that the requirement for reading an ordinance three times be suspended. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None.

PARKING CITATION TRANSACTION FEE

Mrs. DeBernardo introduced Ordinance No. 2018-12 entitled:

AN ORDINANCE AUTHORIZING THE VILLAGE POLICE DEPARTMENT TO CHARGE A TRANSACTION FEE WHEN PARKING VIOLATORS PAY THEIR CITATION USING THE VILLAGE'S ONLINE PAYMENT SYSTEM WITH CREDIT OR DEBIT CARDS AND DECLARING AN EMERGENCY.

Moved by Mrs. DeBernardo, seconded by Ms. Rogoff that the requirement for reading an ordinance three times be suspended. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Moved by Mrs. DeBernardo, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Mrs. DeBernardo said we discussed this when we went through purchasing the new parking on-line payment system. At that time the consensus of Council was that the transaction fee should be charged to the person taking the convenience of paying on-line. They are currently paying on-line but the transaction fee is being payed by the village. Mayor Tomko said this is designed so that the village breaks even. We are not making any money on it and we are not losing any money. Mr. Bloom said the fee is not to exceed three dollars. Mayor Tomko said we have to come back to Council if we want to raise the fee but we don't have to come back to Council if the fee turns out to be lower. Chief Dacek said the fee will be determined on the volume of use and it should take a couple of months to make this determination.

MR. EXCAVATOR CONTRACT

Mrs. Grube introduced Ordinance No. 2018-13 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MR. EXCAVATOR, INC. FOR THE WALTERS ROAD IMPROVEMENT PROJECT, WHOSE BID IS THE LOWEST BID FOR THE REPAIR OF WALTER ROAD AND THE REPLACEMENT OF THE SEWER AND WATER MAINS AND DECLARING AN EMERGENCY.

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Moved by Mrs. DeBernardo, seconded by Mrs. Evans that the requirement for reading an ordinance three times be suspended. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Moved by Mrs. Grube, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Mrs. Grube said Mr. Excavator's bid came in about \$100,000 less than the bids that we had gotten in the Summer of 2017. The total estimate that they gave us was \$901,000. \$39,000 of that is for sidewalks so this contract is for \$861,600.88, which is the original bid minus the \$39,000. This will let us get started on the process that they need to go through for insurance and prepping for the construction process. We have a few more days left on our 14 day notice to the residents regarding the assessment on their taxes for sidewalks. Only 39 of the 56 notices have been returned to the village. The public notice was published on February 15, 2018 so the 14 days will end on March 1, 2018 and then we can start to move forward on the sidewalks. Legislation for the sidewalks should come through on March 12, 2018. We are looking at about five to six weeks out until we start the project.

CHARTER AMENDMENTS

Mr. Maersch introduced Ordinance No. 2018-14 entitled:

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF CHAGRIN FALLS TWO PROPOSED AMENDMENTS TO THE VILLAGE CHARTER TO ADD ALTERNATE MEMBERS TO THE BOARD OF ZONING APPEALS AND ARCHITECTURAL BOARD OF REVIEW AND AMENDING ARTICLE VII, SECTIONS 5 AND 9 OF THE CHARTER OF THE VILLAGE OF CHAGRIN FALLS.

Mr. Maersch said the language for the BZA and the ARB are different. The proposed language for the BZA says Council may appoint up to three alternate members who shall serve whenever one or more members are unable to attend a meeting and then the proposed language for the ARB says up to three alternate members of the board may be appointed by the Mayor and confirmed by Council for a three-year term. Why would Council appoint BZA alternates and the Mayor appoint ARB alternates? Moved by Mr. Maersch, seconded by Mrs. DeBernardo that we take 2018-14 off of our agenda pending further discussion. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None.

J.P. MORGAN CHASE BANK - ACTIVE FUNDS

Mr. Maersch introduced Resolution No. 2018-15 entitled:

A RESOLUTION DESIGNATING J.P. MORGAN CHASE BANK AS A DEPOSITORY FOR ACTIVE FUNDS OF THE VILLAGE OF CHAGRIN FALLS, OHIO UNTIL AUGUST 23, 2021 AND DECLARING AN EMERGENCY.

Moved by Mr. Maersch, seconded by Ms. Rogoff that the requirement for reading a resolution three times be suspended. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Moved by Mr. Maersch, seconded by Ms. Rogoff that the resolution be adopted. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Mr. Bloom said an active fund is a checking account or a payroll account and interim deposits are bank

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CDs or investments that are longer term. Mrs. Grube asked if there is any issue with the fact that they are not in Chagrin Falls? Mr. Bloom said not really. If everything else is equal we would go with a Chagrin Falls bank but if the rates are that different on an investment we would go with J.P. Morgan Chase. Mrs. Evans said I would prefer to use a Chagrin Falls bank. Mr. Bloom said that is what we do almost all the time.

J.P. MORGAN CHASE BANK - INTERIM DEPOSITS

Mr. Maersch introduced Resolution No. 2018-16 entitled:

A RESOLUTION DESIGNATING J.P. MORGAN CHASE BANK AS A DEPOSITORY FOR INTERIM DEPOSITS OF THE VILLAGE OF CHAGRIN FALLS, OHIO UNTIL AUGUST 23, 2021 AND DECLARING AN EMERGENCY.

Moved by Mr. Maersch, seconded by Ms. Rogoff that the requirement for reading a resolution three times be suspended. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Moved by Mr. Maersch, seconded by Mrs. Evans that the resolution be adopted. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None.

CARRON ASPHALT CONTRACT

Mrs. Grube introduced Ordinance No. 2018-17 entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 2017-45 TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH CARRON ASPHALT PAVEMENT, INC. FOR AN INCREASE IN THE CONTRACT AMOUNT DUE TO ADDITIONAL PARKING LOT PAVING COMPLETED BY CARRON ASPHALT PAVING, INC. AND DECLARING AN EMERGENCY.

Moved by Mrs. Grube, seconded by Ms. Rogoff that the requirement for reading an ordinance three times be suspended. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Moved by Mrs. Grube, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: DeBernardo, Evans, Grube, Lipp, Maersch, Newell, Rogoff. Nays: None. Mrs. Grube said last year we paved the Orange Street parking lot and during that process there was an opportunity to also pave the alley behind the hardware store and Rick's. We worked with the property owners and we paved it using our contractor and they reimbursed us \$5,000 for those costs and then we had some other projects so the total difference in the cost to the village between the original project to the final project was \$279.00. We have to pass this so that our final contract matches the final total. The Streets and Sidewalks Committee voted to recommend this to Council.

GEAUGA COUNTY BOARD OF COMMISSIONERS AGREEMENT

Mrs. DeBernardo introduced Ordinance No. 2018-18 entitled:

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AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE GEAUGA COUNTY BOARD OF COMMISSIONERS FOR BOARDING OF PRISONERS AND DECLARING AN EMERGENCY.

Mrs. DeBernardo placed this ordinance on readings until they can schedule a Safety Committee meeting.

COMMITTEE REPORTS:

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

No report.

PLANNING AND ZONING COMMISSION

Ms. Rogoff announced a meeting for Monday, March 19, 2018 at 7:30 p.m.

SAFETY COMMITTEE

Mrs. DeBernardo reported that there is on-going conversation with the village engineer and the traffic engineer regarding the traffic light timing. Mr. Lannon said this is a programming issue so we have been in contact with the equipment supplier. They said by the end of the week they could get with our contractor and then we need to circle back and make sure that we have the complete list of what we have observed.

Mr. Maersch said we inherited a leading pedestrian interval change to the scheme and it sort of hasn't worked out to be what I think we all assumed it was going to be. I don't know that we have a sense for what it is supposed to do.

Mrs. DeBernardo said we were presented with the idea that there would be a leading pedestrian interval several years ago when we first put this project forward. That leading pedestrian interval is a safety mechanism that gets a pedestrian into the middle of the road and prevents a car and a pedestrian from leaving at the same time in a way that might have a collision between the pedestrian and the car. What was presented to Council at time was that it would be an 8 second LPI, which would get people almost all the way across the road or at least half way across. When this was first put into place it was a 3 second LPI, which was too small. We asked for that to be increased and it was increased to 5 seconds. I think that that is working and I have gotten positive feedback on the intersections at Bell and Main and at Orange and Main. They only work if you push the button so that is something that people don't necessarily know. Where we have the issues are here on West Washington at the end of the triangle where the light timing is apparently affected by the fact that at the intersection at South Franklin and West Washington we have a different street designated as the main street. We have one street designated as the main street there and then at the intersection

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at BP we have a different one, a street that is perpendicular, that is designated as the main street because of work that was done by ODOT at the main reconstruction of 2005 and that is causing some issues with the signalization as well as that they are in two different boxes. They are working on the problem, you are discussing with engineers, and he is trying to get another piece of equipment, which will be in our budget, the camera light, and he thinks that that would fix these problems. If the LPI is not working and we want to change to some other type of pedestrian guard we can do that.

Turning right on red from South Franklin Street to Washington Street is an issue that did come up at the safety meeting and we did discuss something as simple as a sign. The fact that everybody just continues driving when they come off South Franklin Street and makes that turn onto Washington Street without stopping is dangerous to pedestrians.

Mayor Tomko mentioned that cars on West Orange Street turning onto Main street also don't stop.

UTILITIES COMMITTEE

None.

BOARD OF ZONING APPEALS

Mr. Maersch announced a meeting for Tuesday, February 27, 2018 at 8:00 p.m.

ADMINISTRATION AND COMPENSATION COMMITTEE

Mrs. Lipp reported that they considered formalizing the village's policy on retire/rehire. There is no real pressing need to push forward with this at this time so we are holding off until we can discuss it with Mr. Markowitz.

FINANCE COMMITTEE

Mr. Maersch announced a Committee of the Whole meeting for Monday, March 5, 2018 at 5:30 p.m.

PARKS COMMISSION

Mrs. Grube announced a meeting for Tuesday, February 27, 2018 at 3:15 p.m.

SHADE TREE COMMISSION

No report.

ARTS COMMISSION

Ms. Rogoff announced a meeting for Monday, March 19, 2018 at 6:00 p.m.

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PARKING COMMISSION

None.

CEMETERY COMMISSION

Mrs. Lipp announced a meeting for April 11, 2018 at 9:00 a.m.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

No report.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

Chief Dacek reported that on February 28th we are having a "Coffee With a Cop" event at 3:00 p.m. at Hamlet, which is open to the public. The main topic is the 911 cellular app and there will be general open discussion. Wednesday night there will be a PTO meeting at the middle school cafeteria at 6:00 p.m. and we will be talking about school safety.

REPORT OF THE FIRE CHIEF

Fire Marshall Jim Alunni reported that the Cap Restaurant Group will be hosting a fund raiser for the fire department's building renovation project. On March 16, 2018 from 5:00 p.m. to 10:00 p.m. firefighters will be guest bartenders at M Italian and Burntwood Tavern to raise funds.

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

Emily, a Kenston High School student, asked if school shootings are a concern? Mr. Maersch said absolutely. It has been a discussion in the community and I think it is going to be one of the things that is going to be discussed at the community meeting Wednesday night. Chief Dacek said what the police department in Chagrin Falls does is we work very closely with the school as far as having officers around the campus and in the school building and being present. We talk to students to try to prevent things from happening. When we get a report of any suspicious behavior we investigate it and take action based on whatever that might be. It is our responsibility as a police department to follow up on reports or tips and investigate them. Emily asked if the Chagrin Falls Police Department has enough manpower? Chief Dacek said yes, and explained that when an incident occurs they will call for mutual aid and officers from many different communities will respond.

Mr. Maersch mentioned that Chief Dacek, Mayor Tomko, and Kathryn Garvey have been working, prior to the shooting in Florida, on potentially implementing a School Resource Officer so that we would have a uniformed Chagrin Falls police officer stationed at the school. He said in this

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community we do a lot active shooter drills where we train on how to respond to these types of things.

Lisa Gates, 509 North Street, complained about the excessive amount of trucks on North Street, the excessive speed on North Street, and the configuration of North Street.

Mr. Maersch said Mrs. Gates would like us to consider is a "No Through Trucks" restriction and reduce the speed limit from 35 MPH to 25 MPH. With respect to the speed limit, Chief Dacek, Mayor Tomko, and Mr. Himes looked at the speed data and a recommendation from Mr. Lannon and declined to reduce the speed limit due to the fact that we hadn't had any complaints and the fact that we had not had significant accident history. In 2015 when we did the project on North Street we polled residents to see if they wanted sidewalks or if they wanted the road widened and the overwhelming response was no, that they wanted to keep that stretch a more rural setting so that is why there are no sidewalks.

Mr. Maersch suggested that Mrs. Gates takes this up with Mr. Markowitz and he recommends that this is brought to the Safety Committee.

MISCELLANEOUS


None.

ADJOURNMENT

Mr. Maersch adjourned the meeting at 8:24 p.m.



 President of Council



 Clerk of Council