

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held

JULY 23,

20 18

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

Member present: DeBernardo, Evans, Lipp, Newell, Rogoff
 Members absent: Grube, Maersch
 Officials present: Mayor Tomko, Bloom, Alunni, Markowitz, Jamieson, Dacek, Lillash

Moved by Mrs. DeBernardo, seconded by Mr. Newell that the absence of Mrs. Grube and Mr. Maersch be excused. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None.

REPORT OF THE MAYOR

Mayor Tomko reported that he received a very nice letter from the Mayor of Shaker Height where our fire department was able to lend assistance in the fire that they had at their elementary school.

Mayor Tomko also reported that our Shade Tree Commission was selected to represent all of the small towns in Columbus in an Ohio Shade Tree Report and Undertaking. The Shade Tree Commission was also selected by the International Society of Arborists to participate in a panel representing the small towns. They were selected based on their professionalism and the amount of work that they do.

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**SUBMISSION TO THE ELECTORS - PROPOSED CHARTER AMENDMENTS**

Mayor Tomko 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.

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

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Moved by Mr. Newell, seconded by Mrs. Evans that the ordinance be adopted, as amended. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None.

CEMETERY-PERPETUAL CARE FUND

Mr. Markowitz placed on the floor Ordinance No. 2018-44 entitled:

AN ORDINANCE ESTABLISHING A FUNDING MECHANISM FOR THE
CEMETERY-PERPETUAL CARE FUND.

Moved by Mrs. Debernardo, seconded by Mrs. Evans to amend the third whereas paragraph where it states that "a percentage of all grave sales shall be placed in the Cemetery Perpetual Care Fund" to instead read "to require that a percentage of all gross cemetery revenue be placed in the Cemetery Perpetual Care Fund". Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Moved by Mrs. DeBernardo, seconded by Mr. Newell that the ordinance be adopted, as amended. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None.

INTENT TO REIMBURSE FUNDS - RIVER & WEST STREETS

Mr. Newell introduced Resolution No. 2018-49 entitled:

A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE
EXPECTATION OF THE VILLAGE OF CHAGRIN FALLS ON BEHALF OF
THE STATE OF OHIO (THE BORROWER) TO REIMBURSE THE
PERMANENT IMPROVEMENT FUND AND THE WATER FUND FOR THE
RIVER AND WEST STREETS WATER SUPPLY PROJECT, LOAN NO.
CT07V WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF
OHIO.

Moved by Mr. Newell, seconded by Mrs. Evans that the resolution be adopted. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Mr. Bloom said this allows us to get reimbursed if we spend money before any grant proceeds are given out.

INTENT TO REIMBURSE FUNDS - GREENBRIER PROJECT

Mr. Newell introduced Resolution No. 2018-50 entitled:

A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE
EXPECTATION OF THE VILLAGE OF CHAGRIN FALLS ON BEHALF OF
THE STATE OF OHIO (THE BORROWER) TO REIMBURSE THE
PERMANENT IMPROVEMENT FUND AND THE WATER FUND FOR
WELLFIELD-GREENBRIER WATER TRANSMISSION MAIN PROJECT,
LOAN NO. CT09V WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE
STATE OF OHIO.

Moved by Mr. Newell, seconded by Mrs. Evans that the resolution be adopted. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Mr. Bloom said this allows us to get reimbursed if we spend money before any grant proceeds are given out.

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NEW CHAPTER 943 ENACTED

Mr. Newell introduced Ordinance No. 2018-51 entitled:

AN ORDINANCE ENACTING NEW CHAPTER 943, "SMALL CELL DESIGN GUIDELINES" OF THE STREETS AND PUBLIC SERVICES CODE AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Mrs. Evans that the requirement for reading an ordinance three times be suspended. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Mr. Newell said this was discussed at the Utilities Committee meeting prior to this meeting and we were encouraged to pass this to prevent cellular service providers from being able to come into the village and install equipment without guidelines. Mrs. DeBernardo said state legislation will go into effect July 31, 2018 and we currently have no guidelines for this. This can be reviewed and amended.

NEW CHAPTER 941 ENACTED

Mr. Newell introduced Ordinance No. 2018-52 entitled:

AN ORDINANCE ENACTING NEW CHAPTER 941 "USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES" OF THE STREETS AND PUBLIC SERVICES CODE AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Mrs. Lipp that the requirement for reading an ordinance three times be suspended. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. DeBernardo that the ordinance be adopted, as amended. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Ms. Rogoff said this companion ordinance is also going into effect state-wide July 31, 2018. Mr. Markowitz said this regulates how you get your permits. It provides for applications, information, and time lines as to when and who you would use. The Utilities Committee pointed out that we don't define what Type 1, 2, & 3 Applications are in Section 941.08(a) so I recommended that we add a provision that any term that is capitalized in the ordinance that is not defined in the ordinance would have the meaning set forth in substitute House Bill 478. We can add that into the chapter under definition, Section 941.01(b). Ms. Rogoff said this also can be reviewed and amended.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TRAX CONSTRUCTION

Mr. Newell introduced Ordinance No. 2018-53 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TRAX CONSTRUCTION CO. FOR THE WATER TRANSMISSION MAIN REPLACEMENT FROM THE VILLAGE WELLFIELD TO SOLON ROAD, REPLACEMENT OF A WATER DISTRIBUTION MAIN IN A PORTION OF THE GREENBRIER SUBDIVISION, DRAINAGE IMPROVEMENTS AND RESURFACING OF GREENBRIER SUBDIVISION

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ROADS, WHOSE BID IS THE LOWEST BID FOR SUCH PROJECT WITHIN THE VILLAGE OF CHAGRIN FALLS AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Mrs. Evans that the requirement for reading an ordinance three times be suspended. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: DeBernardo, Evans, Lipp, Newell, Rogoff. Nays: None. Mr. Newell explained that some residents were complaining about the quality of their water and we found out that they really don't have a good way of servicing it with a blended Cleveland City Water and our well water. Upon further investigation we realized that our roads are in bad shape and while we were having meetings with the residents we noticed quite a bit of storm water ponding in different parts so we made this a priority in our Capital Improvement Plan for 2018. We did receive a zero interest loan for \$1,235,000. This project is scheduled to begin this Fall. The Utilities Committee unanimously voted to recommend this to Council.

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, August 20, 2018 at 7:30 p.m.

SAFETY COMMITTEE

Mrs. DeBernardo announced a meeting for Monday, August 13, 2018 at 6:15 p.m.

UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

On behalf of Mr. Maersch, Ms. Rogoff announced a meeting for Tuesday, July 24, 2018 at 8:00 p.m.

ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

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FINANCE COMMITTEE

No report.

PARKS COMMISSION

On behalf of Mrs. Grube, Mr. Jamieson announced a meeting for July 24, 2018 at 3:00 p.m.

SHADE TREE COMMISSION

Mrs. DeBernardo reported that Glenn Wyville, long-time member of the Shade Tree Commission, announced that this will be his last term on the commission. Interested parties to fill this position should contact the Mayor.

ARTS COMMISSION

No report.

PARKING COMMISSION

No report.

CEMETERY COMMISSION

Mrs. Lipp announced that they have rescheduled their next meeting from Wednesday, August 8, 2018 at 9:00 a.m. to Wednesday, August 15, 2018 at 9:00 a.m.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

No report.

REPORT OF THE ENGINEER

Mr. Lillash reported on the progress of the Walters Road project.

REPORT OF THE POLICE CHIEF

Chief Dacek reported that the Safety Town Graduation will be on Friday, July 27, 2018.

REPORT OF THE FIRE CHIEF

No report.

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

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Cathy Lawrence asked for clarification on Ordinance No. 2018-14, which Mr. Markowitz explained.

Karen Savel, Nob Hill resident - 411 Solon Road A-3, said the bollards that were placed at the crosswalks on Solon Road are working. The cars are braking and slowing down much sooner than they were before. She thanked Council for their actions.

Robbie Grodin, 318 Hillside, complained about the high grass at the waste water treatment plant.

MISCELLANEOUS

None.

ADJOURNMENT

Ms. Rogoff adjourned the meeting at 7:50 p.m.

President of Council

Clerk of Council