

**RECORD OF PROCEEDINGS**

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held

OCTOBER 24,

20 16

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, Lutz, Maersch, Muscenti, Newell, Rogoff  
 Members absent: Mitchell  
 Officials present: Mayor Tomko, Bloom, Himes, Markowitz, Dacek, Lannon

Moved by Ms. Rogoff, seconded by Mr. Newell that the absence of Mr. Mitchell be excused. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None.

**APPROVAL OF MINUTES**

Moved by Ms. Rogoff, seconded by Mrs. Lutz that the minutes of the meeting held October 10, 2016 be approved. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Rogoff. Abstain: Newell. Nays: None.

**REPORT OF THE MAYOR**

Mayor Tomko presented a First Responders Proclamation to Chief Dacek. JoAnn Royer said she and her husband are so proud of the first responders that dedicate themselves so much to this village and the residents of the village. Mr. Royer said it is so important to be here tonight to recognize our first responders. We all need to stop and remember that these are the folks that protect us day in and day out.

**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**

No report.

**PLANNING AND ZONING CODE AMENDED**

Mr. Markowitz placed on the floor Ordinance No. 2016-59 entitled:

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE VILLAGE OF CHAGRIN FALLS, AND REPEALING SECTIONS 1130.03(a)(3)

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AND AMENDING SECTION 1130.04(b), (c), (d), (f), AND (g), 1130.05(a)(2), 1130.06(b), 1130.07, 1130.08, 1130.09, 1130.09(a)(3), 1130.09(d), (e), AND (f) AND 1130.10(e) REGARDING REGULATION OF RESIDENTIAL USES IN THE RESIDENTIAL MIXED USE DISTRICT IN THE VILLAGE. NEW LEGISLATION. PUBLIC HEARING NOVEMBER 14, 2016.

Ms. Rogoff said the Planning and Zoning Commission referred this back to Council recommending two small changes. One is taking single-family out of the maximum density section, 1130.04(b), and the other section is 1130.07 and we are recommending no amendment, no change to Section 1130.04. She said this will remain on readings and there will be a public hearing on Monday, November 14, 2016.

### AUTHORIZATION TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL

Mr. Markowitz placed on the floor Ordinance No. 2016-60 entitled:

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL OF OHIO FOR HEALTH CARE INSURANCE COVERAGE FOR THE EMPLOYEES OF THE VILLAGE OF CHAGRIN FALLS, AUTHORIZING EMPLOYEE CONTRIBUTIONS FOR PREMIUMS, AND DECLARING AN EMERGENCY.

Moved by Mr. Muscenti, seconded by Mrs. Lutz that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Moved by Mr. Muscenti, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Mr. Muscenti said the renewal came in at 7.81% and it was negotiated down to 5.81%. The committee decided to reduce the village's HSA contribution from 90% to 80% so this basically brings the overall renewal down to a little over 3%.

### CODIFIED ORDINANCES AMENDED

Mr. Markowitz placed on the floor Ordinance No. 2016-61 entitled:

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 1340 MAINTENANCE OF STRUCTURES AND PREMISES AND DECLARING AN EMERGENCY.

Moved by Mr. Rogoff, seconded by Mrs. Lutz that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Moved by Ms. Rogoff, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Mr. Markowitz explained the reason for the amendments.

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## TAX ADVANCE

Mr. Maersch introduced Ordinance No. 2016-62 entitled:

AN EMERGENCY ORDINANCE REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF THE 2016 TAX LEVIES PURSUANT TO THE OHIO REVISED CODE SECTION 321.34.

Moved by Ms. Rogoff, seconded by Mrs. Lutz that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Mr. Markowitz said as soon as the County gets the money they can disburse it to us.

## VARIANCE REQUEST - 95 SOUTH MAIN STREET

Mr. Maersch introduced Administrative Order No. 2016-63 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING A VARIANCE REQUEST OF ROBERT FITZ FOR PROPERTY LOCATED AT 95 SOUTH MAIN STREET.

Moved by Ms. Rogoff, seconded by Mrs. Lutz that the administrative order be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Mr. Maersch explained the specifics of the variances requested.

## VARIANCE REQUEST - 39 BELLVIEW STREET

Mr. Maersch introduced Administrative Order No. 2016-64 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING A VARIANCE REQUEST OF BINNIE KURTZNER FOR PROPERTY LOCATED AT 39 BELLVIEW STREET.

Moved by Mr. Newell, seconded by Mrs. Lutz that the administrative order be adopted. Carried. Ayes: Berkobein, Lutz, Maersch, Muscenti, Newell, Rogoff. Nays: None. Mr. Maersch explained the specifics of the variances requested.

## STREETS AND SIDEWALKS COMMITTEE

No report.

## FACILITIES AND SERVICES COMMITTEE

No report.

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Held OCTOBER 24, 2016**PLANNING AND ZONING COMMISSION**

Ms. Rogoff announced a meeting for Monday, November 21, 2016 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**

No report.

**PARKS COMMISSION**

Mrs. Lutz reported that the village will be installing a number of new benches in Riverside Park and Franklin Park. The Cat's Den Garden Club planted a bunch of daffodil bulbs in Franklin Park. The Beautification Committee has scheduled the Fall cleanup day for Wednesday, October 26, 2016. A new mulch product is being tested around the trees in the downtown area that will hold up better and won't get kicked around. The Parks Commission is looking at a partnership with Tri C's Plant Science and Landscape Technology Program. They are reviewing a few planned events and they are waiting to hear about the Nature Works grant.

Mrs. Lutz announced a meeting for Tuesday, October 25, 2016 at 8:30 a.m.

**SHADE TREE COMMISSION**

Mrs. Lutz reported that the Shade Tree Commission is working with Mayor Tomko on ideas for a Riverwalk Nature Walk starting in the wooded area behind the Vincent Street Arboretum site.

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**ARTS COMMISSION**

Ms. Rogoff announced a meeting for Monday, January 16, 2016.

**PARKING COMMISSION**

No report.

**REPORT OF THE CHIEF ADMINISTRATIVE OFFICER**

No report.

**REPORT OF THE ENGINEER**

No report.

**REPORT OF THE POLICE CHIEF**

Chief Dacek reported that they continue with exams for the sergeant's position.

**REPORT OF THE FIRE CHIEF**

No report.

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

None.

**MISCELLANEOUS**

Mrs. Lutz reported that Boy Scout Troop 241 would like to, for the third year in a row, clean the hillside below the falls. They do a wonderful job of cleaning up all the cups, bags, spoons and everything that ends up down there. It is really a valuable service to the village.

A member of the Beautification Committee mentioned that they also pick up trash off the streets and sidewalks as they are working on the gardens and flower urns. Mrs. Lutz said the gardens always look fabulous and your volunteerism really should be recognized with great appreciation.

**ADJOURNMENT**

Mr. Maersch adjourned the meeting at 7:39 p.m.

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\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Clerk of Council