

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held JULY 24, 20 17

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

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

APPROVAL OF MINUTES

Moved by Mr. Newell, seconded by Mr. Berkobein that the minutes of the meeting held July 10, 2017 be approved. Carried. Ayes: Berkobein, DeBernardo, Mitchell, Lutz, Newell, Rogoff. Nays: None.

REPORT OF THE MAYOR

Mayor Tomko said we have gone active, as of today, with Cellular 911. We will be getting an announcement out tomorrow. It offers greatly enhanced services and it really increases the ability of the community to interact with the village.

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**PROPOSED AMENDMENT TO THE CHARTER**

Mr. Markowitz placed on the floor Ordinance No. 2017-27 entitled:

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF CHAGRIN FALLS A PROPOSED AMENDMENT TO THE VILLAGE CHARTER TO LENGTHEN THE PERIOD OF TIME WHEN A SPECIAL RECALL ELECTION WOULD BE HELD, IN ORDER TO COMPLY WITH THE OHIO REVISED CODE AND TIME LIMITATIONS IMPOSED ON THE CUYAHOGA COUNTY BOARD OF ELECTIONS AND TO PROVIDE THAT SPECIAL RECALL ELECTIONS WOULD BE HELD NOT LESS THAN SIXTY (60) NOR MORE THAN NINETY (90) DAYS AFTER THE DATE OF DELIVERY OF A PETITION FOR RECALL AS SET FORTH IN CHARTER SECTION X-2.

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Moved by Mr. Newell, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None. Mr. Markowitz said this does require the Clerk of Council to certify it to the Board of Elections.

CHAPTER 1165 AMENDED

Ms. Rogoff introduced 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 Mr. Newell, seconded by Mrs. Lutz to amend the ordinance. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Mitchell, seconded by Mr. Newell to set a public hearing for Monday, August 28, 2017. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None.

GAPVAX COMBINATION JET/VACUUM TRUCK

Mr. Newell introduced Ordinance No. 2017-44 entitled:

AN ORDINANCE AUTHORIZING THE VILLAGE OF CHAGRIN FALLS TO PURCHASE A GAPVAX COMBINATION JET/VACUUM TRUCK FROM MTECH 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, Mitchell, Newell, Rogoff. Nays: None. Moved by Mrs. Lutz, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None. Mr. Newell explained that this is a piece of equipment that the village has been in need of for years. Half of the cost will be shared by the water utilities Capital Improvement Budget, waste water actually, and the other half through the service department. It will be used for cleaning sanitary sewers and storm drains throughout the village. Its life expectancy is 15-20 years. Three bids were received and the village is recommending that we go with Mtech to provide their piece of equipment. The Utilities Committee voted 3-0 to recommend that Council approve this.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CARRON ASPHALT

Mr. Berkobein introduced Ordinance No. 2017-45 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CARRON ASPHALT PAVING, INC. FOR THE 2017 PAVEMENT PROGRAM, WHOSE BID IS THE LOWEST BID FOR THE RESURFACING OF CERTAIN STREETS WITHIN THE VILLAGE OF CHAGRIN FALLS AND DECLARING AN EMERGENCY.

Moved by Mrs. Lutz, seconded by Mr. Newell that the requirement for reading an ordinance three

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times be suspended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None. Moved by Mrs. DeBernardo, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None. Mr. Berkobein said this includes Monticello, Carriage Stone, Willow Lane, the Bell Street curb, the retaining wall on Solon Road, and the retaining wall in Riverside Park. The Streets and Sidewalks Committee voted 3-0 in favor of this.

AUTHORIZATION TO ENTER IN A CONTRACT WITH SIGNAL SERVICE

Mr. Berkobein introduced Ordinance No. 2017-46 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PEDESTRIAN SAFETY IMPROVEMENT CONTRACT WITH SIGNAL SERVICE COMPANY, THE LOWEST BIDDER FOR THE LEADING PEDESTRIAN INTERVAL TRAFFIC SIGNAL AT FOUR (4) INTERSECTIONS WITHIN THE VILLAGE OF CHAGRIN FALLS AND DECLARING AN EMERGENCY.

Moved by Ms. Rogoff, seconded by Mrs. DeBernardo that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None. Moved by Mrs. Lutz, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None. Mr. Berkobein said this is to delay the sidewalk timers in tune with the lights to give the pedestrians a little bit more time before the warning and the lights go green. It passed 3-0 at the Streets and Sidewalks Committee meeting.

Mr. Markowitz said there is a requirement that all elected officials are either to have training on public records or to designate a person on their behalf to attend. Moved by Mrs. Lutz, seconded by Mr. Newell to designate David Bloom, as the Clerk of Council, to attend the public records training sessions on behalf of all of the elected officials of the Village of Chagrin Falls. Carried. Ayes: Berkobein, DeBernardo, Lutz, Mitchell, Newell, Rogoff. Nays: None.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

No report.

PLANNING AND ZONING COMMISSION

Ms. Rogoff announced a meeting for Monday, August 21, 2017 at 7:30 p.m.

SAFETY COMMITTEE

No report.

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UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

Mr. Himes announced a meeting for Tuesday, July 25, 2017 at 8:00 p.m.

ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

FINANCE COMMITTEE

No report.

PARKS COMMISSION

Mrs. Lutz announced a meeting for Tuesday, July 25, 2017 at 8:30 a.m.

SHADE TREE COMMISSION

No report.

ARTS COMMISSION

No report.

PARKING COMMISSION

No report.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

Mr. Himes said we did get pricing off of the O.D.O.T. Salt Contract last week of \$29.12 a ton for the upcoming season. That compares to \$29.23 that we paid last year and \$52.89 that we paid the prior year.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

Chief Dacek mentioned that the Safety Town graduation will be held on Friday. She reported on the Lexipol project and the employee performance software program.

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REPORT OF THE FIRE CHIEF

No report.

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

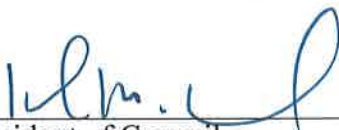
None.

MISCELLANEOUS

Ms. Rogoff said I think we need to do something about the Twin Lakes issue. I also think that the people, since they are on notice, that they have to tell any buyer of their property anyway. Mr. Markowitz said there was an email that if there is anything further to communicate we should just contact them directly without going through their legal counsel. Ms. Rogoff said each one of them individually? Mr. Markowitz said I presume you'd have to because there is no representative of the group anymore. If you want I could write a letter saying if they are not going to sign the declaration we are going to do the affidavit. Mr. Newell said I would like to make a recommendation that we discuss this when Karl is present. Karl has had one-on-one conversations with each of the property owners and I think he should probably carry that ball to the next level. It is not something that needs to be done urgently quick, right? Mr. Markowitz said not unless they are selling a house. Ms. Rogoff said isn't it true though that even if they sell the house that they are obligated to tell a purchaser? Mr. Markowitz said yes, and the purchaser will be bound just like all of them are by the Zoning Board's actions.

ADJOURNMENT

Ms. Rogoff adjourned the meeting at 7:23 p.m.



 President of Council



 Clerk of Council