

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held OCTOBER 23, 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: Bloom, Himes, Markowitz, Alunni, Dacek

APPROVAL OF MINUTES

Moved by Ms. Rogoff, seconded by Mrs. DeBernardo that the minutes of the meeting held October 9, 2017 be approved. Carried. Ayes: Berkobein, DeBernardo, Lutz, Newell, Rogoff. Abstain: Maersch, Mitchell. Nays: None.

REPORT OF THE MAYOR

No report.

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**MEDICAL MUTUAL CONTRACT**

Mr. Markowitz placed on the floor Ordinance No. 2017-64 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.

Mr. Maersch said this will remain on readings.

PROPOSED HOUSE BILL NUMBER 267 OPPOSED

Mr. Markowitz placed on the floor Resolution No. 2017-68 entitled:

A RESOLUTION OPPOSING PROPOSED HOUSE BILL NUMBER 267, INTRODUCED INTO THE 132ND GENERAL ASSEMBLY, WHICH PROPOSES

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TO ELIMINATE CERTAIN DEFENSES TO POLITICAL SUBDIVISION LIABILITY FOR AN EMPLOYEE'S NEGLIGENT OPERATION OF A MOTOR VEHICLE AND DECLARING AN EMERGENCY.

Mr. Maersch said this will remain on readings.

TAX ADVANCE

Mr. Maersch introduced Ordinance No. 2017-69 entitled:

AN EMERGENCY ORDINANCE REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF THE 2017 TAX LEVIES PURSUANT TO THE OHIO REVISED CODE SECTION 321.34.

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. Maersch said if we request, by resolution, the tax money that they have on their books that is attributable to us they will release it three to four months faster than if we just wait for their operations to take care of it themselves.

TEMPORARY APPROPRIATIONS

Mr. Maersch introduced Ordinance No. 2017-70 entitled:

AN EMERGENCY ORDINANCE MAKING TEMPORARY APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF CHAGRIN FALLS DURING AND FOR THE YEAR ENDING DECEMBER 31, 2018.

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. Maersch said we don't do our budget until March 31st and so consequently we have to use this ordinance to make emergency appropriations for the first three months of the year. This is an overestimate of the amount of expenditures that we would have in the first quarter of 2018. The breakouts that you see in Section 1 are very round numbers that pad quite a bit what we'd ever need to spend in that first quarter to give us the ability to appropriate anything beneath that amount.

SENIOR TRANSPORTATION CONNECTION AGREEMENT

Mr. Mitchell introduced Ordinance No. 2017-71 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SENIOR TRANSPORTATION CONNECTION, AN OHIO NOT FOR PROFIT CORPORATION, TO PROVIDE CERTAIN

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TRANSPORTATION SERVICES FOR THE RESIDENTS OF THE VILLAGE OF CHAGRIN FALLS AND DECLARING AN EMERGENCY.

Moved by Mrs. Lutz, seconded by Mr. Mitchell 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. Mitchell, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Himes said this is the same contract that we had last year. The increase is about 2% of the base rate and that is the rate that the village pays per trip. It is going from \$24.75 to \$25.25. Over the entire year of 2017 we paid a total of about \$12,000 so we are averaging about \$1,000 per month. This increase should cost about \$250.00 for the year assuming that we have trips on about the same pace.

UNIVERSITY HOSPITALS AGREEMENT

Mrs. DeBernardo introduced Ordinance No. 2017-72 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH UNIVERSITY HOSPITALS TO PROVIDE OCCUPATIONAL EXAMINATION SERVICES FOR EMPLOYEES OF THE VILLAGE OF CHAGRIN FALLS 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. Chief Dacek said when we hire people we send them to a facility for drug and health screenings.

ANTHONY MELDON RELEASE AND SETTLEMENT AGREEMENT

Mr. Maersch introduced Ordinance No. 2017-73 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A RELEASE AND SETTLEMENT AGREEMENT AND DISMISSAL OF PENDING LITIGATION WITH ANTHONY MELDON AND DECLARING AN EMERGENCY.

Mr. Maersch said we will defer consideration of 2017-73 until later in the agenda so we can get through the rest of the agenda. The fifth whereas clause says the village has agreed to pay the sum of \$8,000 to Anthony Meldon in order to settle the litigation and so when we go into executive session to discuss that matter with our law director that will be one of the issues that we have to wrestle with.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

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No report.

PLANNING AND ZONING COMMISSION

No report.

SAFETY COMMITTEE

Mrs. Lutz reported that the pedestrian safety project that changes the signalization and allows pedestrians to cross while the lights are red in every direction will begin around October 31, 2017. Mr. Jamieson said this includes all of the downtown intersections and the Solon Road and Miles Road intersection. The only thing it doesn't include is the high school driveway signal and the Ridgewood Road and East Washington intersection. Mrs. Lutz said the only thing that pedestrians will have to worry about is vehicles turning right on red.

UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

Mr. Maersch announced a meeting for Tuesday, October 24, 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, October 24, 2017 at 8:30 a.m.

SHADE TREE COMMISSION

No report.

ARTS COMMISSION

No report.

PARKING COMMISSION

No report.

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REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

Mr. Himes said as I am sure everyone recalls vividly when we discussed the Cleveland water contract, our analysis showed that when that reduction in minimum take fully kicks in our ground water supply from the wells will become marginal so we put out a request for qualifications for a hydro-geologist to help us with analyzing the existing water system and potentially augmenting our supply so that we are able to take advantage of the reduction in the Cleveland water contract.

Mr. Himes said you have probably noticed that we paved the Riverside Park parking lot, the alley behind the hardware store, and along side the old Rick's Café location. They are on private property and the private property owners are paying for it.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

Chief Dacek said we had a good turnout at the "Meet the Trucks" event.

REPORT OF THE FIRE CHIEF

Fire Marshall Alunni reported that "Meet the Trucks" was a week ago Saturday and there were approximately 500 people who came to that event. The police department, fire department, and service department had trucks there, there were drones, and fire extinguishers were refilled. The weather was great and people did come from out of town. Mr. Alunni also reported that their annual Clam Bake went well and their fund raising initiative "Help Us Help You" Campaign is coming up soon.

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

None.

MISCELLANEOUS

Ms. Rogoff said I think we need a new vehicle for the parking officers. It is very old and has three wheels. We are doing more enforcement for parking so they are on duty longer. We have two gentlemen doing the job so it is getting more use and I think just as a safety issue for them driving it and for the community that we should have a more substantial vehicle. Chief Dacek said there are a couple of issues with that cart one being it is not well temperature regulated so it is not warm in the Winter and it is hot in the Summer. We were planning on probably looking to replace that cart on the next budget cycle. We are looking at a smart car and/or a Fiat type and size vehicle, which price range wise are not any more expensive than what the current cart was.

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7:35 p.m. Moved by Mr. Mitchell, seconded by Ms. Rogoff to adjourn into executive session to discuss Ordinance 2017-73. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

7:54 p.m. Mr. Maersch adjourned the executive session and reconvened the Council meeting.

ANTHONY MELDON RELEASE AND SETTLEMENT AGREEMENT

Mr. Maersch placed on the floor Ordinance No. 2017-73 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A RELEASE AND SETTLEMENT AGREEMENT AND DISMISSAL OF PENDING LITIGATION WITH ANTHONY MELDON 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. Mitchell, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Lutz, Maersch, Mitchell, Newell, Rogoff. Nays: None.

ADJOURNMENT

Mr. Maersch adjourned the meeting at 7:56 p.m.

President of Council

Clerk of Council