

**RECORD OF PROCEEDINGS**

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTR0P11

Held

NOVEMBER 13,

20 17

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

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

**APPROVAL OF MINUTES**

Moved by Mr. Newell, seconded by Mrs. DeBernardo that the minutes of the meeting held October 23, 2017 be approved. Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None.

**REPORT OF THE MAYOR**

Mayor Tomko reported that Kathy Watterson has donated \$5,000 to the village to be used for downtown beautification or anything in Whitesburg Park and Mike Corkran, 108 West Washington Street, is donating a little over 2 acres of riverbank land to the village. They were both thanked by the Mayor and Council.

**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**

Mr. Markowitz introduced his associate Bridey Matheney who is an attorney in their office. She will be attending meetings and provide research and documentation when he is not able to.

He reported that all of the signatures are complete on the Meldon case and that matter will be dismissed of record in the appellate courts and the matter will be concluded.

**MEDICAL MUTUAL CONTRACT**

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

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**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.**

Mrs. DeBernardo said in September we received our first proposal of a renewal for the 2018 health care employee policy from Consulting Services. At that time we were pleased to see that our renewal was less than a double digit increase, which in this industry is considered a good thing. It was a 9.9% increase. At that time we expressed the desire of the committee as well as the administration to keep the HSA contribution stable and the HSA for our employees as well as keeping Medical Mutual and the provider network that the employees are familiar with. At that point we were ready to take that to Council but right before it was to come before Council we were approached by CPI-HR, which is a benefits company that we could possibly save money by doing a different type of plan design, and be able to maintain our HSA for our employees, and stay in the Medical Mutual network. Because we wanted to practice all due diligence we decided that we would hold another meeting and listen to the proposal. Since that time we have had three additional meetings of Administration and Compensation. In our first meeting we had more of a theoretical proposal of what split-funding is. The basic plan design that we would be considering with CPI-HR is to get a higher deductible plan. Right now we have a \$1,500 individual deductible for employees and a \$3,000 family deductible. What we would do instead is move to a \$5,000 deductible individual deductible and a \$10,000 family deductible, which is a much less expensive plan. In order to keep the burden the same for our employees, the employees would retain the same \$3,000 deductible that they have at this time but the village would take on the remaining deductible amount. In that way we would basically keep the HSA the same for them and we would self-fund a portion of the deductible. We decided we wanted to see some real numbers on this and CPI-HR came back and presented us with some real numbers. Then we invited employees to come to a meeting and get answers; employees came to two separate meetings. Tonight the Mayor came to us with his administration recommendation which is to go with CPI-HR in a split-funded plan and renew with Medical Mutual. We have presented handouts to the rest of Council tonight with all of the actual figures for the plan. The Administration and Compensation Committee voted tonight two to zero to support the administration's recommendation to switch to CPI-HR split-funding and to buy a \$5,000 individual deductible and a \$10,000 family deductible Medical Mutual policy and continue our \$1,500, \$3,000 HSA arrangement for the first 30% of the deductible expenses and create a village-funded HRA to fund the remaining 70% of the deductible. The plan details and the financial analysis were reviewed and discussed. Mayor Tomko said this is a good plan, it gives us a lot of flexibility, and it gives us the ability to control our health care costs in the long term. Comments were heard and questions were answered. 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 132<sup>ND</sup> GENERAL ASSEMBLY, WHICH**

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PROPOSES 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.

### CHAPTERS 351 AND 353 OF THE CODIFIED ORDINANCES AMENDED

Mr. Newell introduced Ordinance No. 2017-74 entitled:

AN ORDINANCE AMENDING CHAPTERS 351 AND 353 OF THE CODIFIED ORDINANCES AND AMENDING SECTIONS 351.03(f) AND (m), 351.14, 353.02(i), (j), AND (m), 353.03, 353.04(d), 353.05, 353.06 AND 353.07 REGULATING PARKING IN METERED AND NON-METERED ZONES AND AMENDING CODIFIED ORDINANCE SECTION 353.03 REGULATING PARKING IN METERED ZONES AND DECLARING AN EMERGENCY.

Mr. Markowitz said since the time that we drafted this ordinance we changed it and moved 353.02(i), (j), and (m) and 353.04(d) to a new ordinance that is going to be introduced at the next meeting so the title should change here. Chief Dacek said actually they are not going to be introduced at all. Those are the ones that we decided that were going to be left as is. This ordinance updates the Codified Ordinances because there are some things in the ordinances that we have now that are outdated. Mr. Maersch went through each individual proposed change.

Moved by Mr. Maersch, seconded by Ms. Rogoff to amend 2017-74, the title, to strike 353.02(i), (j), and (m) and 353.04(d). Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mrs. DeBernardo that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Newell, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None.

### CHAPTER 351 OF THE CODIFIED ORDINANCES AMENDED

Mr. Newell introduced Ordinance No. 2017-75 entitled:

AN ORDINANCE AMENDING CHAPTER 351 OF THE CODIFIED ORDINANCES AND AMENDING SECTION 351.17 (a) - (b), REGULATING PARKING IN NON-METERED ZONES AND ESTABLISHING FINES AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Ms. Rogoff that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Ms. Rogoff that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Maersch said this again is cleaning up what is already in practice. Chief Dacek said this makes the code sections match essentially.

### F&M CONCRETE AGREEMENT

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Mr. Berkobein introduced Ordinance No. 2017-76 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
CONTRACT WITH F&M CONCRETE COMPANY FOR SIDEWALK REPAIR  
AND DECLARING AN EMERGENCY.

Moved by Mr. Newell, seconded by Mrs. DeBernardo that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None. Moved by Mr. Newell, seconded by Mr. Berkobein that the ordinance be adopted. Carried. Ayes: Berkobein, DeBernardo, Maersch, Mitchell, Newell, Rogoff. Nays: None. Mr. Maersch said F & M Concrete gave us a quote for \$55,000 to do the things on this list but because we have \$40,000 in the budget we are going to switch and they are going to convert our low bidder proposal into we will pay you x amount per square foot of 4" concrete and x amount per square foot of 6" concrete and stop when you have used up \$40,000. Mr. Jamieson said per unit cost. It wasn't a formal bidding process, it was a request for quotes so we have a little more flexibility than if we had an official advertised bid process.

## STREETS AND SIDEWALKS COMMITTEE

No report.

## FACILITIES AND SERVICES COMMITTEE

No report.

## PLANNING AND ZONING COMMISSION

Ms. Rogoff announced a meeting for Monday, November 20, 2017 at 7:30 p.m.

## SAFETY COMMITTEE

No report.

## UTILITIES COMMITTEE

No report.

## BOARD OF ZONING APPEALS

Mr. Maersch announced a meeting for Tuesday, November 28, 2017 at 8:00 p.m.

## ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

## FINANCE COMMITTEE

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Mr. Maersch acknowledged receipt of the summary of financial statements dated October 31, 2017.

Mr. Maersch said the police department is a little bit under budget. Is that just because we are better managing overtime? Mayor Tomko said we are tracking the hours every month and we have added more full-time officers but we are offsetting that with a reduction in overtime and part-time so overall the number is down. Last year it was a little bit high so it makes for a somewhat easier comparison. Amber has been doing a superb job of managing the overall labor costs. Mr. Bloom said part of that also is that in last year's actual numbers they had some older people retire and they were paid at a higher rate and their healthcare would have been higher.

Mr. Maersch said for Police & Fire Dispatch we are at 92% and the target is 83%. I thought that was just a flat fee. Mr. Bloom said it is and in that case they always pre-bill so we have probably paid eleven out of twelve months at this point.

Mr. Maersch said parks is a little bit high and my understanding is that this reflects the amount of time that the service department puts in. Mr. Bloom said it accelerates in the Summer.

Mr. Maersch said we are at 141% of budget for the law department. He said anything related to the Meldon lawsuit was unbudgeted and so that would cause us to spend more. The effort that the law director has been putting in with Ms. Rogoff to go through our zoning code is unbudgeted. The amount of time you are putting in with Chief Dacek to go through both our traffic control map and our parking control map would also be unbudgeted. The fact of the matter is the budget that we set for the law department is somewhat arbitrary and is based on what we spent with the last law director. When we decided to go through our code and our parking and all these other things we sort of realized that the budget was not going to be an accurate representation of the work that was going to be done. I have reviewed the bills and am satisfied that we are spending it appropriately. Mayor Tomko said the money that was spent on the zoning code, the traffic maps, and the control maps is money well spent.

Mr. Maersch said what is going on with the working equipment fund that we have \$461,000 now and we are projecting a balance of \$302,000? Are we anticipating a purchase? Mr. Bloom said we are.

Mr. Maersch said our General Fund receives our property tax receipts. Are we still at 85%? Mr. Bloom said it is actually less than 85% because a big chunk of it goes to Capital Improvement directly and then of the remainder RITA is able to break out all the new money from the increase and all that goes directly into Capital Improvement. That is why you see a large revenue number. Of the remainder is 85%/15%. Mr. Maersch said .375% of our income tax receipts goes into the Capital Projects Fund, which is actually the Permanent Improvement Fund, and then 15% of the remainder goes into the Street Fund and 85% of the remainder goes into the General Fund. Mr. Bloom said the Capital Project revenue number is 1.2 million dollars from the bonds and the remainder of that is pretty much income tax.

**PARKS COMMISSION**

No report.

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**SHADE TREE COMMISSION**

No report.

**ARTS COMMISSION**

No report.

**PARKING COMMISSION**

No report.

**REPORT OF THE CHIEF ADMINISTRATIVE OFFICER**

Mr. Jamieson reported that leaf collection is ongoing. Please rake out your leaves by the end of the month.

**REPORT OF THE ENGINEER**

No report.

**REPORT OF THE POLICE CHIEF**

Chief Dacek reported that the Christmas tree is being delivered Thursday morning. The police department is having a fund-raiser, No Shave November, to help an officer's child with a medical issue. Shop With a Cop will be on December 9, 2017 and we are taking donations through the John Murtaugh Benevolent Fund.

**REPORT OF THE FIRE CHIEF**

Assistant Fire Chief Leffler reported that the Clam Bake and the Haunted Fire House were very successful this year and their fund-raiser is underway.

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

None.

**MISCELLANEOUS**

Mayor Tomko said we had a defibrillator installed in the lunch room because we have considerable crowds here from time to time and if you need one seconds count. Hopefully it will sit there and never have to be used.

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## ADJOURNMENT

Mr. Maersch adjourned the meeting at 8:09 p.m.

  
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President of Council

  
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Clerk of Council