

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held APRIL 23, 20 12

The meeting of the Council of the Village of Chagrin Falls was called to order at 8:05 p.m. by Mr. Patton.

Member present: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel
 Members absent: None
 Officials present: Mayor Brick, Bloom, Himes, Zuga, Byron, Brosius

APPROVAL OF MINUTES

Moved by Mr. Subel, seconded by Mrs. Evans that the minutes of the meeting held April 9, 2012 be approved. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

REPORT OF THE MAYOR

Mayor Brick said in light of the recent series of fires here in the Village, the fire department is evaluating some steps that could be taken to reduce fire damage in the future. I hope that the Safety Committee will be able to address some of these recommendations before too long.

Mayor Brick said tomorrow, on April 24th from 10:00 a.m. to 12:00 p.m., the Chagrin Falls police department, in cooperation with the Geauga County Sheriffs Department, will again sponsor a program titled Your Life... Your Choice. Chagrin Falls Police Officer Richard Goldsmith has created and will present the program. This is an annual program and it is done before senior prom weekend. Your Life... Your Choice seeks to educate students about the consequences of driving while under the influence of alcohol or drugs. Approximately 1,400 seniors from area high schools will fill the auditorium at Parkside Church to hear precautionary messages from former and currently incarcerated inmates serving sentences for vehicular homicide stemming from drunk driving as well as stories from drunk driving victims and their families. Everybody here is invited and actually encouraged to attend.

Mayor Brick said the Case Western Reserve University Weatherhead Business School Action Learning Team will be presenting their report on improving cemetery operations on Friday, April 27, 2012 at 1:00 p.m. in council chambers. We will get a report for you prior to then.

Mayor Brick said our Spring shredding service will take place this Saturday from 9:00 a.m. to 12:00 p.m. in the middle school parking lot on Philomethian Street.

REPORT OF THE FINANCE DIRECTOR

No report.

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MEMBERS OF THE PUBLIC TO SPEAK TO AGENDA ITEMS (NOT TO EXCEED TWO (2) MINUTES PER PERSON)

None.

REPORT OF THE LAW DIRECTOR

TRANSFERRING AND APPROPRIATING FUNDS

Mr. Patton introduced Ordinance No. 2012-16 entitled:

AN ORDINANCE TRANSFERRING FUNDS AND APPROPRIATING FUNDS.

Moved by Mr. Patton, seconded by Mrs. Lutz that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Moved by Mr. Patton, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Patton said this permits us to transfer the 2012 estate taxes we have received to date from the general fund to the capital improvement fund. Our original budget estimated estate taxes from 2012 as \$125,000 and our actual receipts so far this year are \$168,596.17.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

No report.

PLANNING AND ZONING COMMISSION

Mr. Chess reported that the commission discussed the property at 91 North Main Street. There was no vote on it and no action was taken until it goes to the Board of Zoning Appeals. He said they also addressed code consistency.

SAFETY COMMITTEE

No report.

UTILITIES COMMITTEE

No report.

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BOARD OF ZONING APPEALS

Mr. Holdren announced a meeting for Tuesday, April 24, 2012 at 8:00 p.m.

ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

FINANCE COMMITTEE

Mr. Patton reported that at the Committee of the Whole meeting this evening they talked about the capital improvement plan and future funding. He announced a meeting for Monday, May 14, 2012 at 7:00 p.m. for further discussion.

PARKS COMMISSION

Mrs. Lutz announced a meeting for Tuesday, April 24, 2012 at 8:30 a.m.

SHADE TREE COMMISSION

No report.

ARTS COMMISSION

Mrs. Evans announced a meeting for Tuesday, May 1, 2012 at 6:00 p.m.

PARKING COMMISSION

No report.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

No report.

REPORT OF THE ENGINEER

Mr. Lannon reported that the county has recently requested a proposed scope of the resurfacing of Solon Road. We have submitted that to them and they are looking at it a lot closer than they have in the past. Mr. Lannon said this will be a joint project with Bentleyville.

Mr. Lannon reported that there are two new residential site plans that have been approved; one is in Falls Walk and one is in Bramley Court. He said we recently received a final landscape

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plan for West Orange Street for the phase I final parking area and a landscape retaining wall in the front. He said there is nothing on phase II, which is the primary geotechnical concern. He thinks they have a final geotechnical report but we have not seen it yet.

REPORT OF THE POLICE CHIEF

No report.

REPORT OF THE FIRE CHIEF

No report.

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

George White, 77 West Cottage Street, said I am here to get an update on the geotechnical study and obviously you don't have any data yet. He asked, do we have any inclination on whether he is even going to go ahead with phase II? Mr. Himes said I don't know. He has given us every indication that he wants to proceed with it as soon as possible. My understanding is the litigation and the potential for a settlement is what has been holding up the project. They have a trial date set for September. Mr. White asked, legally they don't have to furnish the report by a certain time frame? Mr. Byron said not to us. There is no legal obligation that they proceed with their project. They can't build the wall until they design it properly but they are within their rights to delay that indefinitely. The permit would expire at a certain point. Mr. Himes said the approvals would expire if they are not showing some progress. Mr. Byron said in terms of their building permits, they are still working on the interior of the property. That project is in process and there is really nothing that we can do to compel them. We've put the brakes on further development and we can't compel them to give their professional report until they are ready to proceed with that. Mr. White asked, did anything ever happen regarding a temporary retaining wall? Mr. Lannon said we requested temporary measures. As far as we know, those were done; just temporary earth moving to start the slope but nothing as far as a retaining wall. Mr. White said, so basically we are at their mercy. Mr. Byron said I don't know what you mean by that. Mr. White said the longer it sits, every day that goes by, you know the hill is eroding. Mr. Byron said I don't know that, do you? Mr. White said I can see it. I can see it in my property and you can see it in my neighbor's property. Mr. Byron said I don't know the causation of that and I am certain that this is not the place to talk about that. So, if you have questions for us we can answer them. Mr. White said I am done.

MISCELLANEOUS

None.

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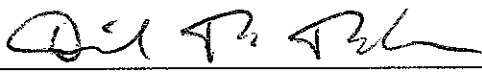
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ADJOURNMENT

Mr. Patton adjourned the meeting at 8:20 p.m.



President of Council



Clerk of Council