

# RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held

MAY 23,

20 11

The meeting of the Council of the Village of Chagrin Falls was called to order at 8:09 p.m. by Mr. Patton.

Member present: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams  
 Members absent: None  
 Officials present: Mayor Brick, Bloom, Himes, Zugan, Brosius, Byron, Lannon

### APPROVAL OF MINUTES

Moved by Mr. Williams, seconded by Mrs. Evans that the minutes of the meeting held May 9, 2011 be approved. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None.

### REPORT OF THE MAYOR

Mayor Brick and Mrs. Evans welcomed Stewart Root who has written a book called *The Legend of Chagrin Falls*. It is a book about the river and how the river became named Chagrin. Mrs. Evans said Mr. Root was a 1950 graduate of Chagrin Falls high school and his family was here for at least four generations, if not more. He was in the first Achievement Hall of Fame in 1992 from Chagrin Falls high school and he is a graduate of Columbia University. He served in the Reagan Administration, primary interest in banking. Mr. Root spoke about the history of Chagrin Falls and his book. An audience member said there will be a book signing on June 4, 2011 at the Chagrin Falls Library.

Mayor Brick said I am happy to announce that the Chagrin Valley Dispatch Council of Governments will have its first meeting here in Council Chambers tomorrow morning at 8:30 a.m. This is, to the best of my knowledge, the first dispatch council in Northeast Ohio and I feel very strongly that this will bring benefits to all of its members, including Chagrin Falls. I want to thank everybody here for approving our joining of that council.

Mayor Brick said we now have more details on the 2010 census, which I hope you got a copy of. This shows that our population has increased about 2% since 2000. It also shows that the percent of children in the Village has increased from 23% of the population to 25% and that the percentage of residents 65 and older has also increased from about 20% in 2000 to 23% in 2010. In addition, renter occupied housing went from 27% of available housing to 30% of available housing. There are many more details and if you don't have your report you can go to our Village website and you can download the entire report.

Mayor Brick said I would like to end by saying that I hope I see all of you this weekend at Blossom Time. I am sure I will.

### REPORT OF THE FINANCE DIRECTOR

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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**

**CUYAHOGA COUNTY EMERGENCY OPERATIONS PLAN ADOPTED**

Mr. Byron placed on the floor Resolution No. 2011-25 entitled:

A RESOLUTION ADOPTING THE CUYAHOGA COUNTY EMERGENCY OPERATIONS PLAN.

Moved by Mrs. Lutz, seconded by Mr. Williams that the resolution be adopted. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Mrs. Lutz said this is a housekeeping matter. We already have an operations plan in place but the Ohio Revised Code specifies that we must have an emergency plan. It has been suggested to us that we adopt the one that Cuyahoga County prepared so that everybody has the same plan and everybody cooperates.

**SECTION 149.20 OF THE CODIFIED ORDINANCES AMENDED**

Mr. Byron placed on the floor Ordinance No. 2011-26 entitled:

AN ORDINANCE AMENDING SECTION 149.20 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS RELATING TO OPERS PICK-UP AND REPEALING SECTION 149.21 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS RELATING TO OPFDPF PICK-UP , AND DECLARING AN EMERGENCY.

Moved by Mr. Subel, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: Lutz, Milko, Patton, Williams, Evans. Nays: Jacobs, Subel. Mr. Subel said this the pension money that is put aside for employees is 20% of their compensation. The Village contributes 18.5% of that and the employees contribute 1.5%. This legislation makes it 10% and 10% where the employees will contribute 10% to offset the fact that they are contributing more to their pension and the Village is contributing less this legislation increases salaries by 8.5%. The committee voted to recommend the passage of this to Council. Mr. Bloom said the Village's portion for PERS is 14% and will be 10% for employees and for police it is 19.5% and employees will be 10%. Mr. Jacobs said the reason I am in opposition is I think that we should do everything in our power to keep employees whole because I think our employees here are valued and are the cream of the crop. I am going to oppose this legislation for three reasons, financial, symbolic, and operational. I think in general, in principal financially that we just need

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to have more than an informal policy as pay as you go and the way it is constructed now this legislation will cost the Village for this half of the year approximately \$10,000 more and for going forward a little bit more than \$20,000 more per year and if we adjusted the pay scale along with the pension pick-up we could have zeroed that out. On a symbolic note, the Mayor was talking about the new census figures and if you take out kids about 30% of the Village is 65 and older and people 65 and older live on fixed incomes. In a symbolic way we need to send a message to that 30% of our voting Village that while we like our employees and we are going to keep them whole we don't want to spend more money than we are currently spending. On an operational level I think at our last Council meeting there were two sentiments that were clearly expressed by Council. One was that we appreciate our employees and we want them to not be punished by what is going on at the state level and the second sentiment we expressed was in revenue neutralities and we asked that there be a pay scale concomitant with this so that everything came out even. So, what I would recommend if there was a friendly amendment that would be accepted is that we, I don't know, that is probably not the right way to do it but I think we should not pass this until we have a pay scale that zeroes out the cost to the Village and I think given the miracles of excel spread sheets this could be done fairly easily. So, that is why I am going to vote against it and I do want the Village employees to know that I think they deserve to be kept whole, that they are great employees, but because of financial, symbolic, and operational reasons at this point in time I am going to vote no. Mr. Patton said it is my understanding that we will be reviewing this in the future as far as future compensation packages for the employees.

## **POSITION CLASSIFICATION AND SALARY SCHEDULE AMENDED**

Mr. Byron placed on the floor Ordinance No. 2011-27 entitled:

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION AND SALARY SCHEDULE FOR VARIOUS POSITIONS WITHIN THE VILLAGE OF CHAGRIN FALLS, AND DECLARING AN EMERGENCY.

Moved by Mr. Subel, seconded by Mr. Williams that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Moved by Mr. Subel, seconded by Mr. Williams that the ordinance be adopted. Carried. Ayes: Evans, Lutz, Milko, Patton, Subel, Williams. Nays: Jacobs. Mr. Subel said this legislation goes hand-in-hand with the one we just passed. We said we would increase the compensation 8.5%. This is the schedule that reflects that. Although, I will ask this question Dave, coming down later we have new legislation tonight for the police where it says there is a 10% change so my question is the one we did a month ago is this really the right one for both the police and the? Mr. Bloom said yes, the different pension systems need their own enabling legislation so #26 will go to PERS and #33 will go to the police and fire pension. They are basically the same but they have different wording. This applies to PERS.

## **AUTHORIZATION TO ENTER INTO A CONTRACT WITH DELTA DENTAL**

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Mr. Subel introduced Ordinance No. 2011-31 entitled:

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT EXTENDING THE DENTAL PLAN PROVIDED TO ALL FULL-TIME VILLAGE EMPLOYEES WITH DELTA DENTAL FOR A TWO YEAR PERIOD BEGINNING JULY 1, 2011 TO JUNE 30, 2013.

Moved by Mr. Subel, seconded by Mr. Williams that the requirement for reading an ordinance three time be suspended. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Moved by Mr. Subel, seconded by Mr. Williams that the ordinance be adopted. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Mr. Subel said we've got a 4.2% or 4.6% increase that is good for two years. We are coming off a contract that was for two years that I think was even less than this and prior to that even around zero so this is one of the good things. The committee recommended that this be passed by Council.

### TRANSFERRING AND APPROPRIATING FUNDS

Mr. Patton introduced Ordinance No. 2011-32 entitled:

AN ORDINANCE TRANSFERRING FUNDS AND APPROPRIATING FUNDS.

Moved by Mr. Patton, seconded by Mrs. Evans that the requirement for reading an ordinance three time be suspended. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Moved by Mr. Patton, seconded by Mr. Williams that the ordinance be adopted. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Mr. Patton said state law requires us to deposit the estate tax funds into the general fund and this ordinance permits us to then transfer the \$456,480.60, which represents estate tax funds received, from the general fund to the capital improvement fund. This is primarily a housekeeping matter.

### ADVISE THE OHIO POLICE AND FIRE PENSION FUND OF THE "PICK-UP" METHOD

Mr. Subel introduced Resolution No. 2011-33 entitled:

A RESOLUTION ADVISING THE OHIO POLICE AND FIRE PENSION FUND OF THE METHOD OF THE "PICK-UP" OF EMPLOYEE CONTRIBUTIONS FOR EMPLOYEES OF THE CHAGRIN FALLS POLICE DEPARTMENT.

Moved by Mr. Subel, seconded by Mrs. Lutz that the resolution be adopted. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Williams. Nays: Subel. Mr. Bloom said we were told originally that the police and fire pension fund would accept our Ordinance 2011-26 as their

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instructions and then we were told that they would not; they have their own wording. It does the exact same thing as #26.

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SAFE ROUTES TO SCHOOL COORDINATOR SERVICES**

Mr. Evans introduced Ordinance No. 2011-34 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SAFE ROUTES TO SCHOOL COORDINATOR SERVICES, AND DECLARING AN EMERGENCY.

Moved by Mrs. Evans, seconded by Mrs. Lutz that the requirement for reading an ordinance three time be suspended. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Moved by Mrs. Evans, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Evans, Jacobs, Lutz, Milko, Patton, Subel, Williams. Nays: None. Mrs. Evans said this is an ordinance allowing the Mayor to enter into an agreement for hiring a professional staff person for the Safe Routes to School Program. The cost of the agreement is \$15,000 and that is part of the original contract with Safe Routes to School. It was recommended by Streets and Sidewalks for Council to pass it. Mrs. Lutz said the funding is coming from a grant. There is no cost to the Village and it is necessary for the ongoing day to day programs that are part of the Safe Routes to Schools package.

**STREETS AND SIDEWALKS COMMITTEE**

No report.

**FACILITIES AND SERVICES COMMITTEE**

No report.

**PLANNING AND ZONING COMMISSION**

Mr. Jacobs reported that the comprehensive plan was discussed and one change was recommended. The Charter Review Commission on June 7, 2011 is going to be listening to the people from the Planning and Zoning Commission. Some members came to the Planning and Zoning to speak against the possibility of a piece of park being used for parking. There was discussion about permitted signage.

**SAFETY COMMITTEE**

No report.

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## UTILITIES COMMITTEE

No report.

## BOARD OF ZONING APPEALS

Mr. Williams reported that the regularly scheduled BZA meeting tomorrow night has been canceled.

## ADMINISTRATION AND COMPENSATION COMMITTEE

No report.

## FINANCE COMMITTEE

Mr. Patton reported that the committee reviewed the five-year capital improvement fund as it relates to the general capital improvement fund as well as the water reserve capital improvement and also the sewer reserve capital improvement fund. It appears for at least the next two years that we should have sufficient funds to address certain prioritized projects and will continue tracking potential future sources of revenue to move forward with additional future projects.

## PARKS COMMISSION

Mrs. Lutz reported that if you walk through town you will see all of the many hours of work that have gone into making everything look so great. If you were out over the weekend you could see the volunteers giving up their time to make all the parks look so great.

Mrs. Lutz announced a meeting for 8:30 a.m. tomorrow morning.

## SHADE TREE COMMISSION

No report.

## ARTS COMMISSION

Mr. Milko reported that there was a meeting last week talking about numerous subjects but really homing in on the idea of kiosks in town and they came to a conclusion to discuss maybe it makes sense for a couple of flat screens in some various areas that list the events that are going on in the town. The other was a compliment to the Village for the website that we have right now and it might be appropriate to add another module that lists, if you click on it, various artist such as an artist's services directory and have them pay \$10 to be on it or something like that so that it is self sustaining as far as cost.



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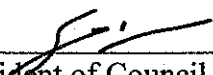
Meeting

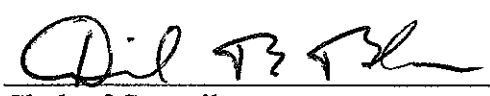
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President of Council

  
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Clerk of Council