

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, Cockrell, Zugan, Byron, Lannon

### **APPROVAL OF MINUTES**

Moved by Mrs. Evans, seconded by Mr. Newell that the minutes of the meeting held April 22, 2013 be approved. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

### **REPORT OF THE MAYOR**

Mayor Brick said I would like to promote Sergeant Amber Dacek to Lieutenant. He gave a brief description of her background. Moved by Mrs. Evans, seconded by Mr. Subel that Sergeant Dacek is the next Lieutenant of the Village of Chagrin Falls Police Department. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mayor Brick swore in Lieutenant Dacek.

Mayor Brick said I would like to promote Officer Jason Weiskopf to Sergeant. He gave a brief description of his background. Moved by Mrs. Evans, seconded by Mr. Newell that Officer Weiskopf becomes our next Sergeant of the Village of Chagrin Falls Police Department. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mayor Brick swore in Sergeant Weiskopf.

Mayor Brick said now that we have two new officers in the police department I would like to point out that we have, and have had, many dedicated Chagrin police officers. And, the President, the Congress of the United States, and the Village of Chagrin Falls want to honor them. Mayor Brick read a proclamation describing how and that May 15, 2013 is Peace Officer Memorial Day.

Mayor Brick said we also have many dedicated volunteer crossing guards who every day protect our children on their way to school. He read a proclamation honoring and thanking the crossing guards. He declared June 5, 2013 to be school crossing guard appreciation day in the Village of Chagrin Falls.

Mayor Brick said I hope I see everybody at Blossom Time on Thursday the 23<sup>rd</sup>.

## **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**

### **CHAPTER 105 OF THE CODIFIED ORDINANCES AMENDED**

Mr. Byron placed on the floor Ordinance No. 2013-29 entitled:

AN ORDINANCE AMENDING CHAPTER 105, PUBLIC CONTRACTS, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS, AND DECLARING AN EMERGENCY.

Moved by Mr. Patton, seconded by Mrs. Evans that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Patton said we reviewed this at the committee level prior to the last Council meeting. We also discussed this tonight at the Facilities and Services Committee meeting. He said this restructures the bidding of public contracts and it includes incorporating what is known as design-build services. That is where a person or entity would be responsible for both the design and the construction, demolition, alteration repair, or reconstruction of a public improvement. It also includes that there are certain exceptions when competitive bidding is not required when cost estimates are greater than \$50,000, and that would include design-build projects. He said there are also several other components of the ordinances. Mr. Byron explained the components. Comments were heard and questions were answered. Moved by Mr. Patton, seconded by Mr. Subel to amend the ordinance by deleting paragraph (h) in Section 105.03. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Moved by Mr. Patton, seconded by Mr. Newell that the ordinance be adopted, as amended. Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

### **OHIO POLICE & FIRE PENSION PRE-TAX PLAN**

Mr. Byron placed on the floor Resolution No. 2013-30 entitled:

A RESOLUTION APPROVING THE VILLAGE'S PARTICIPATION IN A "PRE-TAX" CONTRIBUTION PLAN FOR THE OHIO POLICE & FIRE PENSION FUND.

Moved by Mr. Subel, seconded by Mrs. Evans that the resolution be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Subel said the State is requiring people covered under the Police & Fire Pension Fund to contribute more of their paychecks to their pension. This legislation allows us to withhold that on a pre-tax basis and send it to the State. In July we up it .75% then again a year later and then again a year later.

**CHAPTER 1165 AMENDED**

Mr. Byron placed on the floor Ordinance No. 2013-31 entitled:

AN ORDINANCE AMENDING CHAPTER 1165, HILLSIDE PROTECTION, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS AND REPEALING CERTAIN ORDINANCES.

Mr. Chess said this will remain on readings. He announced a public hearing for June 10, 2013.

**NEW CHAPTER 1151 ENACTED**

Mr. Byron placed on the floor Ordinance No. 2013-32 entitled:

AN ORDINANCE ENACTING NEW CHAPTER 1151, RIPARIAN BUFFER REGULATIONS, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS, AND AMENDING CERTAIN SECTIONS OF CHAPTERS 1355 AND 1357 TO PROVIDE APPROPRIATE CROSS-REFERENCES TO THE RIPARIAN BUFFER REGULATIONS, AND REPEALING CERTAIN ORDINANCES.

Mr. Chess said this will remain on readings. He announced a public hearing for June 10, 2013.

**CHAGRIN VALLEY DISPATCH COUNCIL AGREEMENT**

Mr. Byron placed on the floor Resolution No. 2013-33 entitled:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A RESTATED AND AMENDED AGREEMENT CONTINUING THE CHAGRIN VALLEY DISPATCH COUNCIL, AND DECLARING AN EMERGENCY.

Moved by Mr. Patton, seconded by Evans that the resolution be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mayor Brick explained that this is an update to the continuing agreement of the Chagrin Valley Dispatch Council of Government.

**APPROPRIATIONS AMENDED FOR THE EXPENSES AND EXPENDITURES**

Mr. Patton introduced Ordinance No. 2013-34 entitled:

AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF CHAGRIN FALLS DURING AND FOR THE YEAR ENDING DECEMBER 31, 2013.

Moved by Mr. Patton, seconded by Mr. Newell 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. Mayor Brick said if one of the communities didn't pass the agreement or we found something that the C.O.G. didn't like about the lease then we wouldn't be spending the money. This is dependent upon the lease being adopted. Mr. Patton said this particular change is the increase from \$767,200 to \$907,200 and that is to capture the cost of the capital improvements.

**POSITION CLASSIFICATION AND SALARY SCHEDULE AMENDED**

Mr. Subel introduced Ordinance No. 2013-35 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 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. Subel, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Subel said the change between this salary schedule and the one that we have been operating under is that we have created room for Amber Dacek who has been promoted to Lieutenant.

**AUTHORIZATION TO ENTER INTO AN AGREEMENT THE DEPARTMENT OF PUBLIC WORKS**

Mrs. Evans introduced Ordinance No. 2013-36 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS FOR PREVENTIVE ROAD MAINTENANCE SERVICES.

Mrs. Evans put this ordinance on readings.

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION**

Mr. Patton introduced Ordinance No. 2013-37 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CHAGRIN FALLS EXEMPTED VILLAGE SCHOOL DISTRICT BOARD OF EDUCATION FOR REFUELING OF MOTOR VEHICLES.

Moved by Mr. Patton, seconded by Mr. Newell 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 Mr. Newell that the ordinance be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Patton said this was discussed tonight at the Facilities and Services Committee meeting. This is a shared services agreement with the Chagrin Falls school, the Village of South Russell, Village of Bentleyville, and the Chagrin Falls Suburban Fire Department for the use of the fueling facility that is located at Gurney Elementary School. We will have expenses of about \$4,300 to modify the existing depot. We are now spending about \$85,000 a year on gas and diesel expenses and we are expecting to save about \$10,000 per year. Mr. Newell said we are not assuming any liability of the refueling depot; we are just a user of the gas and diesel coming from it.

**RENEW EXISTING EXPENSE TAX LEVY**

Mr. Patton introduced Resolution No. 2013-38 entitled:

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING CURRENT EXPENSE TAX LEVY AND REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GRANTED BY THAT RENEWAL LEVY, AND DECLARING AN EMERGENCY.

Moved by Mr. Patton, seconded by Mr. Newell that the requirement for reading a resolution three times be suspended. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Moved by Mr. Patton, seconded by Mr. Newell that the resolution be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Patton said in 2008 we approved an operating levy in the amount of 5.5 mills to cover the operating expenses of the village. That levy currently generates about \$975,000 in revenues annually. That will expire in 2014 and we thought it would be prudent to put a renewal levy on the ballot this November.

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ECLIPSE CO.**

Mrs. Evans introduced Ordinance No. 2013-39 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ECLIPSE CO., LLC, FOR THE SOLON ROAD WATER MAIN REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

Moved by Mrs. Evans, 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 Mrs. Evans, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mrs. Evans said it will happen some time prior to the end of August between Miles Road and Monticello. Eclipse had the lowest and best bid at \$480,454 and they have been recommended by CT Consultants.

**STREETS AND SIDEWALKS COMMITTEE**

No report.

**FACILITIES AND SERVICES COMMITTEE**

No report.

**PLANNING AND ZONING COMMISSION**

Mr. Chess announced a meeting for Monday, May 20, 2013 at 7:30 p.m.

**SAFETY COMMITTEE**

No report.

**UTILITIES COMMITTEE**

No report.

**BOARD OF ZONING APPEALS**

Mr. Holdren announced a meeting for Tuesday, May 28, 2013 at 8:00 p.m.

### **ADMINISTRATION AND COMPENSATION COMMITTEE**

No report.

### **FINANCE COMMITTEE**

Mr. Patton acknowledged that Council did receive the monthly expenditure report as well as the monthly statement of cash receipts and disbursements for April, 2013.

Mr. Patton announced a meeting for Monday, June 10, 2013 at 7:15 p.m.

### **PARKS COMMISSION**

No report.

### **SHADE TREE COMMISSION**

No report.

### **ARTS COMMISSION**

Mrs. Evans announced a meeting for Monday, June 3, 2013 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 South Franklin Street water main project is on schedule.

### **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)**

Kathryn Malmquest from the library reported on the on-going renovations to the property. She reported that their parking lots will be closed on Memorial Day weekend, Saturday, May 25<sup>th</sup> and Sunday, May 26<sup>th</sup>, due to paving and striping.

### **MISCELLANEOUS**

Mrs. Evans thanked Captain Cockrell for all his years of service to the Village of Chagrin Falls.

Mike Chess announced that he has to resign no later than June 19<sup>th</sup> unless a replacement is named sooner. He said he is moving to Moreland Hills and he thanked Council for the support he has received.

On behalf of Council, Mr. Patton thanked Mr. Chess for his dedicated service. He said if anyone is interested, who resides in the village, in being considered to fill Mr. Chess' term, which is through the end of the year, that they submit a letter or a resume to the village, David Bloom, by Friday, May 31, 2013.

### **ADJOURNMENT**

Mr. Patton adjourned the meeting at 8:58 p.m.

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President of Council

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Clerk of Council