

The meeting of the Council of the Village of Chagrin Falls was called to order at 8:00 p.m. by Mr. Patton.

Member present: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel  
Members absent: None  
Officials present: Mayor Brick, Bloom, Himes, Zupan, Alunni, Brosius, Byron, Lannon

### **APPROVAL OF MINUTES**

Moved by Mrs. Evans, seconded by Mr. Newell that the minutes of the meeting held September 8, 2014 be approved. Carried. Ayes: Evans, Lutz, Muscenti, Newell, Patton, Subel. Abstain: Herdman. Nays: None.

### **REPORT OF THE MAYOR**

Mayor Brick thanked Dori Loomis for her service on the Board of Zoning Appeals but family matters have taken over for her and she had to resign. He announced his appointment of Jim Holdren to the Board of Zoning Appeals for a term ending December 31, 2017. Moved by Mr. Patton, seconded by Mr. Subel to confirm Mayor Brick's appointment. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None.

Mayor Brick said, as I suspect you all know, Mill Street is now open as are the Mill Street and Cleveland Street sidewalks. An official opening ceremony will take place on Saturday, October 25, 2014. This is being organized by the Safe Routes to School Committee and the details will be on the website.

Mayor Brick said I would just like to point out that we have completed a very green project here in the village on Solon Road and mostly with grant money. The berm on the east side is porous concrete and on the west side the berm is an extensive bio-swale. It not only looks a lot better but it will help reduce flooding in the area and save on maintenance costs over its lifetime.

Mayor Brick said I received a flyer concerning Issue 33 in my doorway yesterday and I have to say it is filled with many false statements and assertions. It says the village has damaged its credit rating and this is false. Our credit rating is really very good at AA2 and that is actually higher than it was ten years ago. It says a family earning \$50,000 a year will pay an increase of \$188.00. A few will but the statement is extremely misleading. The vast majority of our residents would pay the \$47.00 because they get the 75% tax credit. It also says our cost of medical insurance is three times higher than similar organizations. That is false. We have a recent survey by Hunting Valley of surrounding communities that shows our medical insurance costs are just about average of these surrounding communities. I certainly acknowledge that

people can have different judgements on an issue but I am really, truly disappointed that his group is spreading false statements to our residents and I will be contacting them hopefully to clarify some of these facts.

### **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**

#### **CODIFIED ORDINANCES AMENDED**

Mr. Byron placed on the floor Ordinance No. 2014-39 entitled:

AN ORDINANCE AMENDING SECTIONS 1107.19, 1301.14, 1143.03(p), AND 1143.14(c) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS TO MORE SPECIFICALLY DEFINE THE TERM "SIGNS" AND TO CLARIFY THE METHOD OF MEASURING SIGN AREA.

Mr. Muscenti explained the amendments. Mr. Patton opened up the meeting to a public hearing. No comments were heard and Mr. Patton closed the public hearing. Moved by Mr. Muscenti, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None.

#### **CODIFIED ORDINANCES AMENDED**

Mr. Byron placed on the floor Ordinance No. 2014-56 entitled:

AN ORDINANCE AMENDING SECTION 1142.04(c) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS TO CLARIFY THAT STREET TREES ARE REQUIRED ON PRIVATE ROADS IN THE RESIDENTIAL MIXED USE AND CLUSTER RESIDENTIAL DISTRICTS IN THE VILLAGE.

Mr. Muscenti explained the amendments. Mr. Patton opened up the meeting to a public hearing. No comments were heard and Mr. Patton closed the public hearing. Moved by Mr. Muscenti, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Evans,

Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None.

**CODIFIED ORDINANCES AMENDED**

Mr. Byron placed on the floor Ordinance No. 2014-57 entitled:

AN ORDINANCE AMENDING SECTIONS 1125.02(b), 1125.03, 1125.04, AND 1125.05 OF CHAPTER 1125 OF THE CODIFIED ORDINANCES “RESIDENTIAL DISTRICTS: DETACHED ONE AND TWO-FAMILY”.

Mr. Himes explained the amendments. Mr. Patton opened up the meeting to a public hearing. No comments were heard and Mr. Patton closed the public hearing. Moved by Mr. Muscenti, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None. Comments were heard and questions were heard.

**CODIFIED ORDINANCES AMENDED**

Mr. Byron placed on the floor Ordinance No. 2014-58 entitled:

AN ORDINANCE AMENDING SECTION 1109.03(b) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS REGARDING CONDITIONS FOR THE ISSUANCE OF CERTIFICATES AND PERMITS TO REQUIRE THAT BUILDINGS BE LOCATED ON PUBLIC OR PRIVATE STREETS.

Mr. Muscenti explained the amendments. Mr. Patton opened up the meeting to a public hearing. No comments were heard and Mr. Patton closed the public hearing. Moved by Mr. Muscenti, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None.

**CODIFIED ORDINANCES AMENDED**

Mr. Byron placed on the floor Ordinance No. 2014-59 entitled:

AN ORDINANCE AMENDING SECTION 1148.04 AND 1148.06 OF THE CODIFIED ORDINANCES “FENCES, WALLS, AND HEDGES” TO REQUIRE A SURVEY AND TO REQUIRE FENCES FOR CERTAIN RECREATIONAL USES IN NON-RESIDENTIAL DISTRICTS.

Mr. Muscenti explained the amendments. Mr. Patton opened up the meeting to a public hearing. No comments were heard and Mr. Patton closed the public hearing. Moved by Mr. Muscenti, seconded by Mrs. Evans that the ordinance be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None.

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

Mrs. Evans introduced Ordinance No. 2014-65 entitled:

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

Moved by Mrs. Evans, seconded by Mrs. Lutz that the requirement for reading an ordinance three times be suspended. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None. Moved by Mrs. Evans, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None. Mrs. Evans said this is an ordinance that we did pass last year. Last year we did not take advantage of anything that the county offered but this year we do have the opportunity, if we pass this, to go back to the county and ask for reimbursement for county roads that are in the village. Those roads are Bell Street, Chagrin Boulevard, West Orange Street, Main Street, East Washington Street, Franklin Street, the old 422, South Main Street, Miles Road, East Orange, North Street, Falls Road, Solon Road, Maple Street, and Walters Road. If we have any funds, and we do any repairs, we may be able to go back to the county and ask for reimbursement.

**VARIANCE REQUEST - 67 MAY COURT**

Mr. Herdman introduced Administrative Order No. 2014-66 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING A VARIANCE REQUEST OF GEOFFREY AND LISA POPE FOR PROPERTY LOCATED AT 67 MAY COURT.

Moved by Mr. Herdman, seconded by Mr. Newell that the administrative order be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None. Mr. Herdman explained the specifics of the variance requested. He said the vote was three to nothing in recommending approval by the BZA. Comments were heard and questions were answered.

**VARIANCE REQUEST - 137 SOUTH FRANKLIN STREET**

Mr. Herdman introduced Administrative Order No. 2014-67 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING A VARIANCE REQUEST OF TED AND MICHELLE MCQUADE FOR PROPERTY LOCATED AT 137 SOUTH FRANKLIN STREET.

Moved by Mr. Herdman, seconded by Mrs. Evans that the administrative order be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None. Mr. Herdman explained the specifics of the variances requested. He said the vote was three to nothing in recommending approval by the BZA.

#### **STREETS AND SIDEWALKS COMMITTEE**

No report.

#### **FACILITIES AND SERVICES COMMITTEE**

No report.

#### **PLANNING AND ZONING COMMISSION**

Mr. Muscenti announced a meeting for Monday, October 20, 2014 at 7:30 p.m.

#### **SAFETY COMMITTEE**

No report.

#### **UTILITIES COMMITTEE**

No report.

#### **BOARD OF ZONING APPEALS**

Mr. Herdman announced a meeting for Tuesday, October 28, 2014 at 8:00 p.m.

#### **ADMINISTRATION AND COMPENSATION COMMITTEE**

Mr. Subel mentioned that he suspects that we will be getting our quotes from our insurance company probably around the 15<sup>th</sup> of October.

#### **FINANCE COMMITTEE**

Mr. Patton acknowledged that Council did receive the monthly expenditure reports as well as the monthly statement of cash receipts and disbursements for the month of September, 2014.

#### **PARKS COMMISSION**

No report.

### **SHADE TREE COMMISSION**

Mrs. Lutz said I guess they had a wonderful meeting at the Holden Arboretum and the Holden Arboretum directors are providing a lot of particular education for air knifing the trees and improving the trees in the village. I do really want to get Terry Rounds in here with his power point presentation so we want to get that set up for this Fall.

### **ARTS COMMISSION**

Mrs. Evans reported that they met last week and all the arts are doing quite well in the village. She said the Documentary Film Festival was just over and she hopes everybody had an opportunity to attend.

### **PARKING COMMISSION**

No report.

### **REPORT OF THE CHIEF ADMINISTRATIVE OFFICER**

No report.

### **REPORT OF THE ENGINEER**

No report.

### **REPORT OF THE POLICE CHIEF**

Chief Brosius mentioned that he received a card from Jay Murtaugh and his family expressing their gratitude for the outpouring support they got from our Council, the citizens of the community, and the merchants. They were just overwhelmed with the generosity and support.

### **REPORT OF THE FIRE CHIEF**

Chief Zupan reported that, although it was lightly attended Saturday, we had nine residents take advantage of the fire extinguisher refill. Also on Saturday we had our 67<sup>th</sup> annual clambake and I would like to thank the merchants who donated some awesome prizes for us to raffle off and the Mayor and Council people who were in attendance; we appreciate your support.

### **MEMBERS OF THE PUBLIC TO SPEAK TO ANY MATTER (NOT TO EXCEED**

### **FIVE (5) MINUTES**

Ellita Vedder, 298 Hillside Drive, said November 11, 2014 is Veteran's Day and this year we would like to honor Jim Alunni and thank him specifically and mostly honor him for the personal price that he paid fighting for our freedom. A representative from Quilts of Valor Foundation presented Mr. Alunni with a veterans quilt that honors his service. Mr. Alunni thanked everyone.

### **MISCELLANEOUS**

Anne deConingh, 50 East Orange Street, said she is very concerned about Issue 33 and the cost of the new fire truck. Chief Zupan said the Suburban Corporation and the Village are the same department but somewhat separate and they actually bought two trucks. He summarized the actual cost of the village's new fire truck, which is much less than what was given in the Issue 33 flyer. Mayor Brick said the old truck was over twenty years old and it was failing a lot. It was a life or death issue. There are certain cases where if you don't have the capability of this truck people could die. This was the concern about safety that led to the decision to move ahead and purchase a functioning truck of this type. This improved our rating by the National Fire Association and improved the ratings of our fire prevention capability which will result in the possibility of all of our residents getting somewhere between a five and a ten percent reduction in their fire insurance policy. This was needed; it was a safety question. Chief Zupan said this truck is available for any community that requests it. He said the fire grade went from a five to a three, which is very good for our style of department. Mr. Newell said the improvement in our ISO rating is not totally the result of the purchase of the new equipment, it is all the hard work and the dedication and the fantastic job that the Suburban Fire Department does for this community and all of the surrounding communities. We owe a lot of gratitude to the work that they do.

Mr. Patton said we all thanked Jim Holdren for stepping up to take Dori Loomis' position and I think we would all like to thank Dori as well for her time and her contribution to the BZA.

### **ADJOURNMENT**

Mr. Patton adjourned the meeting at 8:44 p.m.

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President of Council

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Clerk of Council