

**RECORD OF PROCEEDINGS**

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held

OCTOBER 22,

20 12

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: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel  
 Members absent: None  
 Officials present: Mayor Brick, Bloom, Alunni, Brosius, Byron, Lannon

**APPROVAL OF MINUTES**

Moved by Mrs. Evans, seconded by Mr. Newell that the minutes of the meeting held October 8, 2012 be approved. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

**REPORT OF THE MAYOR**

Mayor Brick said I would like to point out that both the Chagrin Valley Times and the Chagrin Solon Sun endorsed Issue 37 in their newspapers.

Mayor Brick announced that Trick-or-Treat will be held on Wednesday, October 31, 2012 from 6:00 p.m. to 8:00 p.m. He also announced that the Haunted Fire House will be open at those same hours.

**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 953 AMENDED AND EXACTING NEW SECTION 953.01 RELATING TO A PET CEMETERY**

Mr. Byron placed on the floor Ordinance No. 2012-45 entitled:

AN ORDINANCE AMENDING CHAPTER 953, EVERGREEN HILL CEMETERY, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS BY ENACTING NEW SECTION 953.01 RELATING TO A PET CEMETERY, AND DECLARING AN EMERGENCY.

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Moved by Mr. Newell, seconded by Mrs. Lutz that the ordinance be adopted. Failed. Ayes: None. Nays: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel.

Mr. Patton said the idea of a pet cemetery was presented because we are trying to come up with ways to make the cemetery more self sustaining economically. It was looked at by Case Western Reserve University and also by our Cemetery Board and the idea is to consider using about a 13,000 square foot area or 1/4 acre area that is to the south of the maintenance building on South Franklin for the use of a pet cemetery. It is anticipated that there is room for approximately 440 graves. It is anticipated that those graves could sell for approximately \$300 a piece, which could produce potential revenues of around \$132,000. Also, as far as the maintenance of the area, the idea would be to have flush markers so that that area can continue to be mowed as it is now without having to worry about weed wacking around headstones. This was discussed at the Facilities and Services Committee but no action was taken.

Mr. Subel said I have gotten feedback from some people and I kind of agree with some of the sentiment that I have gotten that a lot of people look at that as like hallow ground and burying pets there would take away from that. In the case that we use this land one of these days, that means a Chagrin resident probably won't get a chance to be buried there. Based on those kinds of reasons I would vote against this.

Mayor Brick said I understand that there is a judgement to be made here. I got a letter, and I think maybe everybody did, concerning the fact that the space would not be then available for burial of people. Right now Evergreen Hill Cemetery occupies about 25 acres that are utilized for interment. There is a long-range plan to increase the cemetery for interments and that involves approximately another 25 acres. The entire property is about 100 acres. The sexton estimated to me that when we implement the current conceptual plan for enlargement that this would provide access for seventy to eighty years and that it is not within sight of the 1/3 of acre that was proposed for the pet cemetery. So theoretically you could say it would detract from humans but boy it would really be a long way into the future.

Mr. Patton said I appreciate the work Mayor that you have done on this and Larry Trace, Susan White, and Moira Carr. I am an absolute animal lover. I have had animals all my life but I am having a real difficult time embracing the idea of a pet cemetery. I just can't get past that in order to do a further analysis of what you presented even though I did look at that information. And, I really haven't heard people in the village say this is a great idea, that there is a demand for it. I have only heard negative comments about it. I am personally not in favor of the idea at this point.

Mrs. Lutz said we have spent a significant amount of time talking about revenues and how to increase revenues and the need for revenues and I think it needed to be done to try to find ways to increase revenues for the cemetery. I think it is a very distinguished place, highly distinguished. I have always thought of it that way and I have an emotional reaction to the idea

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of a pet cemetery. I just can't get past it. If the revenues were really, really super significant I might be swayed but right now I would say I am not in favor of the pet cemetery.

Mr. Newell said I too would like to comment first of all to thank the Board for their work on this. They have put a lot of effort into it and as it came out as a suggestion of a way to make additional revenue that is something we always should be pursuing. I did go look at the property that is proposed for the pet cemetery and I thought that the property was kind of second rate as opposed to the rest of the nice area of the cemetery. But I asked a lot of the residents about it and I don't see a lot of support. So, for that reason, I am not going to vote in favor of this.

Mr. Newell asked, has there been much demand for a pet cemetery? Are the people asking for one? Mayor Brick said no, not to me. I don't know if they have approached the Cemetery Board. I think it honestly came out of the study done by a group of students from Case Western Reserve that in general there is a demand for a pet cemetery. No one has ever come to me. Mr. Newell said I would worry that there would be three people a year so this would raise \$900 a year. I think this is a big step for a small amount. The other thought I wanted to point out was maybe a different location, not in the cemetery.

Mrs. Evans said I appreciate everyone's comments and I really would like to thank the Cemetery Board for doing their due diligence and pursuing this idea. I think we are all interested in increasing our revenues but a pet cemetery has the connotations of Steven King and I really have a problem with. I am going to be buried there and my husband is there and I don't want it to be a pet cemetery. I cannot support this.

Mr. Subel said maybe there is a way if not immediately but sometime in the future if a group would express an interest I suppose there is nothing, and they think they can make this run for the people of Chagrin Falls I suppose we could chop up and sell somebody a chunk of this land if we needed to. But, then again, you would be taking away from some Chagrin resident eight years from now.

## TEMPORARY APPROPRIATIONS MADE FOR THE CURRENT EXPENSES

Mr. Patton introduced Ordinance No. 2012-50 entitled:

AN EMERGENCY ORDINANCE MAKING TEMPORARY  
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 Mrs. Evans 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.

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Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Bloom said this allows us to operate in the first three months of 2013 while we work on the actual budget for that year.

### REQUEST TO ADVANCE TAXES FROM THE 2012 TAX LEVIES

Mr. Patton introduced Ordinance No. 2012-51 entitled:

AN EMERGENCY ORDINANCE REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF THE 2012 TAX LEVIES PURSUANT TO OHIO REVISED CODE SECTION 321.34.

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. Evan that the ordinance be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Bloom said this allows us to request that the County advance property tax money in the new year earlier than they would otherwise. We wouldn't get our money until May and this allows money to begin coming to us in late December.

### VARIANCE REQUEST - 52 SOUTH FRANKLIN STREET

Mr. Byron placed on the floor Administrative Order No. 2012-40 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING A VARIANCE REQUEST OF JAMES AND MELODY MCCLURG FOR PROPERTY LOCATED AT 52 SOUTH FRANKLIN STREET.

Mr. Holdren said at the request of the applicant, I would like to table this until the next Council meeting at which time they can be present.

### STREETS AND SIDEWALKS COMMITTEE

No report.

### FACILITIES AND SERVICES COMMITTEE

No report.

### PLANNING AND ZONING COMMISSION

Mr. Chess reported that the commission discussed instituting guidelines for public art and they further reviewed the code for consistency.

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**SAFETY COMMITTEE**

No report.

**UTILITIES COMMITTEE**

No report.

**BOARD OF ZONING APPEALS**

Mr. Holdren announced a meeting for Tuesday, October 30, 2012 at 8:00 p.m.

**ADMINISTRATION AND COMPENSATION COMMITTEE**

No report.

**FINANCE COMMITTEE**

No report.

**PARKS COMMISSION**

Mrs. Lutz announced a meeting for Tuesday, October 23, 2012 at 8:30 a.m.

**SHADE TREE COMMISSION**

No report.

**ARTS COMMISSION**

No report.

**PARKING COMMISSION**

No report.

**REPORT OF THE CHIEF ADMINISTRATIVE OFFICER**

No report.

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## REPORT OF THE ENGINEER

No report.

## REPORT OF THE POLICE CHIEF

No report.

## REPORT OF THE FIRE CHIEF

Mr. Alunni reported that 58 residents participated in the annual fire extinguisher refill/service day.

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

None.

## MISCELLANEOUS

None.

## EXECUTIVE SESSION

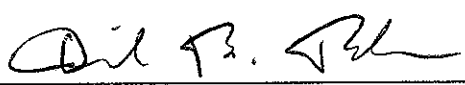
Moved by Mrs. Evans, seconded by Mr. Chess to adjourn into executive session for the purpose of discussing pending or imminent litigation. Carried. Ayes: Chess, Evans, Holdren, Newell, Patton, Subel. Nays: None. (8:22 p.m.)

Mr. Patton said he does not anticipate that there is any going to be any further comment following the executive session other than to reconvene and adjourn.

## ADJOURNMENT

Mr. Patton adjourned the meeting at 9:00 p.m.

  
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President of Council

  
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Clerk of Council