

The meeting of the Council of the Village of Chagrin Falls was called to order at 8:10 p.m. by Mr. Patton.

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

APPROVAL OF MINUTES

Moved by Mrs. Evans, seconded by Mr. Newell that the minutes of the meeting held May 12, 2014 be approved. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None.

REPORT OF THE MAYOR

Mayor Brick said I hope everyone had as good a time as I did at Blossom. My understanding is that it was very successful and we had very few incidents, which is really a blessing.

Mayor Brick said we are expecting the final resurfacing layer of Solon Road to be done this week.

Mayor Brick said the concerts in the park series will start on Thursday evening June 19, 2014 at 7:00 p.m. at Triangle Park. I hope to see many of you there.

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

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COMMUNITY COLLEGE

Mr. Byron placed on the floor Ordinance No. 2014-27 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH THE CUYAHOGA COMMUNITY COLLEGE DISTRICT FOR SALE OF A VEHICLE THAT IS

NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

Moved by Mrs. Lutz, seconded by Mrs. Evans 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. Lutz, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None. Mrs. Lutz said this is a topic that we went over previously about the value of the fire truck that we wish to sell to Tri-C. The documentation just illuminates the details of the transaction. Mr. Patton said we incorporated language stating that the vehicle had to be in substantially the same condition as the date of transfer. Mrs. Lutz said we have further identified the language that identified how the condition of this vehicle would be assessed at the time of its sale. Mr. Byron said it limited their authority to refuse it.

DELTA DENTAL RENEWAL

Mr. Subel introduced Ordinance No. 2014-31 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW THE VILLAGE OF CHAGRIN FALLS CONTRACT WITH DELTA DENTAL.

Moved by Mr. Subel, 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 Mr. Subel, seconded by Mrs. Lutz that the ordinance be adopted. Carried. Ayes: Evans, Herdman, Lutz, Muscenti, Newell, Patton, Subel. Nays: None. Mr. Subel said this one we just have great experience with, in fact our rates are going down again this year. It is a relatively minimal expense for the village.

TAX INCREMENT FINANCING

Mr. Patton introduced Ordinance No. 2014-32 entitled:

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND AUTHORIZING AN AGREEMENT WITH THE CHAGRIN FALLS EXEMPTED VILLAGE SCHOOL DISTRICT AND A TAX INCREMENT FINANCING AGREEMENT WITH SPILLWAY, LLC, AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTION

5709.40, 5709.42, AND 5709.43, AND DECLARING AN EMERGENCY.

Mr. Patton said this was discussed at the Committee of the Whole Council meeting prior to this meeting. There will be a followup discussion on Monday, June 23, 2014 at 7:30 p.m. Mr. Patton placed this ordinance on readings.

STREETS AND SIDEWALKS COMMITTEE

Mrs. Evans announced a meeting for Monday, June 23, 2014 at 7:00 p.m.

FACILITIES AND SERVICES COMMITTEE

No report.

PLANNING AND ZONING COMMISSION

Mr. Muscenti announced a meeting for Monday, June 16, 2014 at 7:30 p.m.

SAFETY COMMITTEE

No report.

UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

No report.

ADMINISTRATION AND COMPENSATION COMMITTEE

Mr. Subel said they met with Allan Schinagle a week ago and started the dialog about the need to evaluate medical insurance plan designs. Mrs. Lutz said basically we talked about the fact that we really don't know until it gets down to the time to renew because the landscape can change so dramatically and we will revisit all the different plans that we have looked at before. Allan has provided a number of different combination of plans to look at and he will do the same thing.

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 May.

PARKS COMMISSION

Mrs. Lutz announced a meeting for Tuesday, June 10, 2014 at 8:30 a.m.

SHADE TREE COMMISSION

No report.

ARTS COMMISSION

Mrs. Evans reported that they are planning on Friday, August 22, 2014 to use Riverside Park, with the approval of the Parks Commission, for promoting all of the arts in Chagrin Falls.

PARKING COMMISSION

No report.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

No report.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

No report.

REPORT OF THE FIRE CHIEF

Chief Zupan thanked Council for their approval of the sale of the ladder truck to Tri-C.

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

Helen Pointer said she is a resident of Chagrin Falls and a volunteer with Move to Amend. Move to Amend is a bipartisan national effort for support for a federal constitutional

amendment to clearly interpret the rights that we have as from the constitution belonging to natural persons as opposed to created corporations and also to state that money is not speech. There is a group of concerned citizens here in Chagrin Falls that are supportive of this effort and over the last ten days they have contacted the Mayor and members of Council to let them know that they are planning to petition village residents to have an ordinance placed on the November ballot to provide people an opportunity to speak out on these issues.

Michael MacIver, 144 Elm Court, talked about the comprehensive storm water management act that the village passed in 2005. He said over the last 24 years that he has lived in Chagrin Falls his basement has flooded five times and the village has told him that there is really no money to fix the problem. He said meanwhile two of his closest neighbors have enlarged their footprint of their houses, additions, and they drained the whole back of their roofs to splash blocks instead of draining to the storm sewers and the village didn't do anything about that. He said now his next door neighbor proposes to put in a concrete pad and swimming pool which will cover approximately 50% of his total lot. Is 50% lot coverage in this village reasonable? He said he took his concern to the Planning and Zoning Commission last month and he was told that they would prefer not to take up this issue until an application for a permit to build the pool was filed. He said this is planning and zoning, they anticipate problems and they are to take care of problems before they arise. He suggests that the existing zoning ordinances are definitely inadequate compared to other communities in this country. He urges the village to do whatever they can to strengthen those zoning ordinances.

Mr. Himes said the drainage situation goes back quite some time. I have been out there to look at it and their property is basically the bottom of the bathtub in that area and that single storm inlet is the drain so if there is a storm that overwhelms the capacity of that pipe or the inlet gets plugged the water starts rising. I believe the neighbor has applied for a permit for the pool. As Mr. MacIver said the ordinances that are in effect now are what they operate under. There is nothing you could do retroactively. Mr. Himes said the comprehensive storm water ordinance wouldn't be applicable on a single disturbance of that size. I think it is written that the applicability is one acre disturbance or greater. Mr. MacIver asked about the flood control ordinance. Mr. Himes said improvement of the storm sewer system there is not simply a matter of increasing the size of the inlet because the entire pipe down stream would have to be increased in size. There is no simple solution.

Mr. Muscenti said we addressed this but I think we should start to take a look at the lot coverage issues. Mr. Himes said in our current code lot coverage applies to the main building. Mr. Himes said there are some other limits on coverage. There are some limits on driveway coverage but there is no comprehensive coverage limit.

MISCELLANEOUS

None.

ADJOURNMENT

Mr. Patton adjourned the meeting at 8:34 p.m.

President of Council

Clerk of Council