

RECORD OF PROCEEDINGS

Minutes of

CHAGRIN FALLS VILLAGE COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held JANUARY 14, 2013

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, Himes, Alunni, Brosius, Byron, Lannon

APPROVAL OF MINUTES

Moved by Mrs. Evans, seconded by Mr. Newell that the minutes of the meeting held December 10, 2012 be approved. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

Moved by Mr. Newell, seconded by Mrs. Evans that the minutes of the organizational meeting held January 2, 2013 be approved. Carried. Ayes: Evans, Holdren, Newell, Patton, Subel. Abstain: Chess, Lutz. Nays: None.

REPORT OF THE MAYOR

Mayor Brick said I am working on documenting the village's major accomplishments in 2012 and developing major priorities for 2013. Hopefully you all got draft copies. I would really like to hear from you personally or e-mail me so that we can have particularly agreed upon priorities for 2013 so we are all on the same sheet of music.

Mayor Brick said Ben, Tim, and others have prepared a first pass at a proposed capital expenditures, principally for roads, which you should have a copy of. I would suggest that we schedule a meeting to discuss the proposed budget. The overall financial planning strategy I would suggest to develop 2013 budgets with a look at 2014 so that we can have a balanced general fund, meet our required capital needs, and complete the re-paving and reconstruction of South Franklin Street, Solon Road, and North Street in the next couple of years. Secondly I'd suggest we look at developing a 3-5 year budget estimates for a sustainable general fund and required capital needs and an acceptable road program. This would probably include steps to somehow increase revenue.

Mayor Brick said I hope you all know that we have a page on our website to encourage citizens to give us ideas on how to deal with the loss of over a million dollars a year in revenue, principally from the elimination of the State Inheritance Tax. This has been up for several weeks and we haven't gotten any suggestions. I am sure people have ideas, we've just got to make sure we get them so that we can make the best judgements we can. I would encourage you to encourage your friends and neighbors to let us know.

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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 EASEMENT AGREEMENT

Mr. Patton introduced Ordinance No. 2013-01 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EASEMENT AGREEMENT WITH BRIAN AND JOAN HERTZ, BOARDWALK ENTERPRISES, LTD., RBT INDUSTRIAL LTD., RTB HEMLOCK LTD., AND VENTURE POINT LLC, AND DECLARING AN EMERGENCY.

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. Mr. Patton said this is somewhat of a unique situation with regards to customers that the village provides water to. The reason being is that this is the area on Chagrin Road heading out of town towards Bainbridge on the right hand side. At one point in time much of that area was owned by an individual person and there was one master meter that was servicing various buildings. Since those buildings have been built there is individual ownership of some of those units and there is a desire now that each of the units has their own separate meter instead of working off of one master meter for several different buildings. As such, we need to enter into an agreement where by if we do go forward with this the village would have an easement so we can access the water meters, shut off the water if necessary, or take any other actions which relate to the village supplying water to those various buildings. It was the unanimous recommendation of the Utilities Committee that Council adopt this ordinance tonight.

REVISE CODIFIED ORDINANCES

Mr. Patton introduced Ordinance No. 2013-02 entitled:

AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES AND DECLARING AN EMERGENCY.

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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. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Patton said this is primarily a housekeeping matter. Adoption of this ordinance would create an alignment between our Codified Ordinances for the Village of Chagrin Falls with like statutes which are under the Ohio Revised Code and which have been modified.

DENNIS L. MAROLD II EASEMENT

Mrs. Evans introduced Ordinance No. 2013-03 entitled:

AN ORDINANCE ACCEPTING EASEMENTS FOR CONSTRUCTION PURPOSES FROM DENNIS L. MAROLD II, AND DECLARING AN EMERGENCY.

Moved by Mrs. Evans, 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 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 this is a easement that we need on Solon Road because of the reconstruction that we are going to do on Solon Road. It is a headwall that we need to place on the north side of Solon Road right where the bend is going into Solon.

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH BENTLEYVILLE

Mrs. Lutz introduced Ordinance No. 2013-06 entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF BENTLEYVILLE FOR THE PROVISION OF FIRE PREVENTION AND PLAN REVIEW SERVICES BY THE VILLAGE OF CHAGRIN FALLS TO THE VILLAGE OF BENTLEYVILLE, AND DECLARING AN EMERGENCY.

Moved by Mrs. Lutz, 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 Mrs. Lutz, seconded by Mr. Newell that the ordinance be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mrs. Lutz said we already have an agreement with Hunting Valley very similar to this. Basically Bentleyville hires our fire prevention officer to do that work for them. He inspects their buildings and makes suggestions and recommendations. The village is paid for the use of his services. He generally starts out inspecting their public buildings and he is also available for residential inspections. Mr. Alunni said they wouldn't be suggestions, it would be enforcement.

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Mayor Brick said I want to thank everybody and I want to thank the fire department. This is a really good example of improving our efficiency in reducing our costs. You don't need a fire prevention officer very often but when you need him you need him. Jim has been very good at this and is bringing more revenue into the village to offset our overall costs. Congratulations to Jim, the fire department, and all of you.

VARIANCE REQUEST - 50 EAST SUMMIT STREET

Mr. Holdren introduced Administrative Order No. 2013-04 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING
A VARIANCE REQUEST OF JACKIE & CHRISTOPHER LOCKHART FOR
PROPERTY ON 50 EAST SUMMIT STREET.

Moved by Mr. Holdren, seconded by Mr. Patton that the administrative order be adopted. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None. Mr. Holdren explained the specifics of the variance request. He said the BZA unanimously approved the variance request.

VARIANCE REQUEST - 49 WEST WASHINGTON STREET

Mr. Holdren introduced Administrative Order No. 2013-05 entitled:

FINAL ORDER OF COUNCIL AND CONCLUSION OF FACT REGARDING
A VARIANCE REQUEST OF TODD GOLDSTEIN FOR PROPERTY ON 49
WEST WASHINGTON STREET.

Moved by Mr. Holdren, seconded by Mrs. Evans that the administrative order be adopted. Mr. Holdren explained the specifics of the variances requested. He said the BZA unanimously approved the variance requests. Moved by Mr. Patton, seconded by Mr. Chess to table the matter. He said the reason for that motion is based on discussions that I have had individually with different members of Council today and there is some disagreement amongst Council as to how this particular issue will be handled. As a result, we are going to enter into an executive session for the purpose of discussing imminent litigation. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

STREETS AND SIDEWALKS COMMITTEE

No report.

FACILITIES AND SERVICES COMMITTEE

No report.

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PLANNING AND ZONING COMMISSION

Mr. Chess announced a meeting for Monday, January 21, 2013 at 7:30 p.m.

SAFETY COMMITTEE

Mrs. Lutz reported that the committee discussed and supported the transfer of a liquor license to Flipside Restaurant. It requires a letter of recommendation from the Mayor with Council's approval.

Moved by Mrs. Lutz, seconded by Mrs. Evans to authorize the Mayor to sign a letter consenting to a TREX transfer for the purpose of the Flipside Restaurant. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

UTILITIES COMMITTEE

No report.

BOARD OF ZONING APPEALS

No report.

ADMINISTRATION AND COMPENSATION COMMITTEE

Mr. Subel said they met last week with Allan Schinagle, our rep for our medical insurance. The purpose of the meeting was just to get a feel for how it was going both to the economy with respect to renewals and Obama Care and whatever else. No intent of making any decision. Rates seem to be going up significantly, he is saying 15% to 30%. A lot of Obama Care really hits in 2014 more than this year. Mr. Schinagle expects to have firm quotes or a renewal quote by mid February.

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 December, 2012.

Mr. Patton announced a meeting for Monday, January 28, 2013 at 7:00 p.m.

PARKS COMMISSION

Mrs. Lutz announced a meeting for Tuesday, January 22, 2013 at 8:30 a.m.

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SHADE TREE COMMISSION

No report.

ARTS COMMISSION

No report.

PARKING COMMISSION

No report.

REPORT OF THE CHIEF ADMINISTRATIVE OFFICER

Mr. Himes reported that the service department will be doing a final Christmas tree pickup on Monday, January 28, 2013, weather permitting.

REPORT OF THE ENGINEER

No report.

REPORT OF THE POLICE CHIEF

Chief Brosius reported that the police department and the fire department are actively engaged with school officials on school safety issues and they will be meeting with the PTO on Wednesday night.

REPORT OF THE FIRE CHIEF

No report.

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

Sally Goss from the Rec Center spoke about a two-year research project regarding the possibility of a new year-round recreation center.

MISCELLANEOUS

None.

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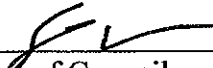
EXECUTIVE SESSION

Moved by Mr. Patton, seconded by Mr. Subel to adjourn into executive session for the purpose of discussing potential imminent litigation. Carried. Ayes: Chess, Evans, Holdren, Lutz, Newell, Patton, Subel. Nays: None.

Mr. Patton said when we come out of executive session I do not anticipate that we will have any further public comments.

ADJOURNMENT

Mr. Patton adjourned the meeting at 8:33 p.m.



President of Council



Clerk of Council