

RUSSELL FIRE-RESCUE STATION

July 20, 2011

Chairman James Dickinson called the meeting to order at 7:00 p.m. Trustees James Mueller and Kristina Port were present. Mr. Dickinson welcomed Chief John Frazier, Chief Timothy Carroll, Road Superintendent Gene Layne, Maintenance Superintendent Jack Gallagher, and Zoning Inspector Ric Machnics.

The Pledge was said.

**REGULAR MEETING MINUTES:** *Mr. Mueller made the motion to accept the minutes of the Regular Meeting held on July 6, 2011, as presented. Ms. Port seconded the motion and it passed unanimously.*

**MONTHLY REPORTS:** *Mr. Mueller made the motion to accept the June 2011 monthly departmental reports from the Fire, Police, Maintenance and Road departments. Ms. Port seconded the motion and it passed unanimously.*

**MONTHLY REPORTS:** *Mr. Mueller made the motion to acknowledge receipt of the June 2011 monthly departmental report from the Zoning department. Ms. Port seconded the motion and it passed unanimously.*

**FIRE DEPARTMENT:** A brief discussion was held concerning the feasibility of making the Town Hall available to residents as a cooling center on extremely hot days. The Town Hall does not have a generator, but it is air conditioned. It could possible serve as a place for residents to cool off. An email blast could be sent out to inform residents of the opportunity if the Town Hall is opened as a cooling center. If the Fire Department has an Open House, heat planning could be a topic of interest addressed at the event.

**POLICE DEPARTMENT:** The Police Department was awarded a \$3,875.00 ballistic vest grant through the Department of Justice.

**MAINTENANCE DEPT.: CURBSIDE COLLECTION:** The quote for the Curbside Collection event came in \$30 per truck load more than two years ago. Mr. Gallagher estimated that there would be less than 9 truckloads. Mr. Gallagher explained that it is a lot of work to change vendors. Since the price was so close to the previous price, Mr. Gallagher did not choose to change vendors. *Mr. Dickinson made the motion to authorize \$12,384.00 to hire Waste Management to perform a curbside refuse collection. Mr. Mueller seconded the motion and it passed unanimously.*

**ROAD DEPT.:** Mr. Layne stated that Hemlock Point Road could be closed for another 20 days.

**ZONING DEPT.:** Mr. Machnics reported that discussions with the County Prosecutor's office continue regarding the Sloe case.

**FISCAL OFFICER:** Mrs. Heck reported that she turned the budget in to the Budget Commission on Monday. The Local Government Fund is likely to be cut 25% this year, 50% next year and 25% the year after that. Also, in 2013 the Estate

RUSSELL FIRE-RESCUE STATION

July 20, 2011

Tax money will be gone. The State of Ohio will not be short 8 billion dollars, they are getting more money than they expected.

Ms. Port had a question regarding the bank reconciliation. Mrs. Heck explained that a payment to United Healthcare for deductibles was returned by wire transfer. The money had to be returned to the fund it came from. So, the money could not be receipted in until Mrs. Heck was sure exactly where it belonged.

**COMMENTS WERE TAKEN FROM THE PUBLIC**

**NOISE LEGISLATION:** Mr. Dickinson presented information on the new revisions to ORC section 505.172 regarding noise control. Wording was changed in the ORC that means that Trustees no longer "shall" seek a civil action" but "may" seek a civil action. The Trustees are considering noise control resolutions. Resident Tom Warren, who was instrumental in getting the legislation revised, said that noise from Hillbrook Club affects his family's weekends and prevents the enjoyment of their backyard. Mr. Mueller is interested in the details of the proposed resolutions such as time of day and distance that noise can be heard. Mr. Mueller wants the details defined. While he understands that there are egregious situations, Mr. Mueller is concerned about overregulation. Chief Carroll reported that since January 1<sup>st</sup>, 2011, there have been a total of 8 police incidents at Hillbrook Club. Chief Carroll explained that in southern Ohio townships the source of the noise is cited. For example, the disc jockey would be cited, not the property owner. Mr. Machnics, Zoning Inspector, reported that he has heard music emanating from Hillbrook Club a mile away on Hillbrook Lane South and Hillbrook Lane East. He recommends that the Trustees go hear the music for themselves. Mr. Warren explained that the real injury happens from dinnertime until midnight. Mr. Dickinson expressed a preference for a general and broad noise resolution. Mr. Dickinson stated that residents should not have to endure noise at any time of the day. Mr. Mueller expressed agreement with the broader resolution but only if night time hours are stipulated in the resolution and if the citation is based on the police officer's discretion on the second visit after a warning is issued. Mr. Warren is against setting hours in the resolution as that greenlights misbehavior during daytime hours. Ms. Port is concerned with targeting one specific entity in the community. She identified other party centers in the community, EOUV Club and Weigand's Lake. Ms. Port favors using a calibrated meter as an objective measure of noise. Mr. Dickinson stated that courts have upheld decisions based on subjective measures. Mr. Warren reported that the Supreme Court of Ohio has accepted the hearing of ordinary officers as evidence. Mr. Machnics reported that he has never received complaints about the EOUV Club and Weigand's Lake, but that Hillbrook Club changed owners and regularly skirts the rule about private clubs. Hillbrook Club offers memberships for 1 day, reciprocal club memberships, and has had offers on Groupon. Chief Carroll stated that questions of instrument calibration can get a case thrown out of court. Mr. Mueller suggested that he speak to Mr. Jim Kaufman, the club owner, and tell him what is being discussed. Mr. Machnics has already spoken with Mr. Kaufman

RUSSELL FIRE-RESCUE STATION

July 20, 2011

and the club manager. Mr. Warren stated that other measures can be taken to sound proof the club. Chief Frazier explained that the plexiglass panels that were installed did not solve the sound issue and they created a problem under the fire code that is still not resolved. Mr. Warren explained that consequences are needed. He suggested that a general noise resolution passed stating that it is the simplest way to accomplish the goal without negatively affecting businesses.

**LOCKMILLER CEMETERY ISSUE:** Mrs. Lockmiller sent a letter to U.S. Representative Steven LaTourette identifying complaints about family burials in Russell Township's Old Riverview Cemetery. Mrs. Lockmiller's issue with the Township has gone on for 15 years. Mary Mobilia was asked to send a memo to the Trustees and attend a future Trustees meeting to explain the situation.

**BUS GARAGE:** The Phase II report on the bus garage by Emerald Environmental was given to Mr. Mueller. He found the soil borings to contain tolerable levels of contaminants. The water samples were also acceptable. Nothing appears to be of actionable levels. No remediation appears to be required. Mr. Dickinson noted that the environmental study was to be performed on the leased premises. The noticeable exception in the Emerald Environmental, Inc. report is the building. The Trustees want to see a report on the environmental hazards that appear in the building. Mr. Dickinson asked Mr. Mueller to write to Mr. McDade, Operations Manager of West Geauga Schools.

**ALCOHOL PERMITS:** Mr. Dickinson read aloud the Department of Commerce letter regarding renewal of alcohol permits. Circle K has not been a problem since receiving their permit. The Trustees have no objection to the permit renewal.

**COMMUNICATION ADVISOR:** Mr. Dickinson spoke in favor of hiring a consultant to advise the Township on communication matters. Mr. Mueller wants to institute pink sheets like Gates Mills uses to disseminate information. Ms. Port favors hiring a part-time employee to handle communication tasks in the Township. Mrs. Heck said the starting rate was just over \$16.00 per hour. No health benefits would be provided. Retirement must be paid even for part-time employees.

**ANNOUNCEMENTS:** Due to a scheduling conflict, the next regular Trustees' meeting will be held at 7:00 p.m., Thursday, August 4th, in the Russell Township Fire-Rescue Station.

**PURCHASE ORDERS:**

128-2011 Repair lighting panel w/new	\$ 1,500.00
129-2011 Laurel Sch. Sp Asses in lieu of tax	\$ 1,324.71
130-2011 Airfare for 3 Firehouse training	\$ 733.20
131-2011 Weekly rental of asph. Grinder	\$ 1,200.00
132-2011 Replace diesel pumps pumping unit	\$ 1,000.00

Bills were approved as presented and drawn for same.

*Upon the motion of Mr. Mueller and seconded by Mr. Dickinson the meeting adjourned at 8:54 p.m.*

James Dickinson, Chairman

Gerri Heck, Fiscal Officer  
Recorded by: M. Palmer