

**FAIRPORT HARBOR VILLAGE COUNCIL
REGULAR COUNCIL MEETING
May 16, 2023**

The Mayor called the 16 May 2023 Regular Council meeting to order.

Pledge of Allegiance to the flag of the United States.

Answering Roll calls were Christina Bacnik, Anthony Bertone, Elisabeth Shaver, Jeff McKinney, Frank Sarosy and Jerry Hites.

A motion to approve the minutes from the April 18, 2023 meeting was made by Anthony Bertone, seconded by Jerry Hites. All present voted aye. Motion passed.

The Mayor said the agenda for tonight's meeting is going to change just a little bit. I will go to our Solicitor in just a minute, but under my item we are going to hand the meeting over to Christina Bacnik. There are some fifth graders here tonight for the Earth Day event we did a couple of weeks ago in the Village and they are going to present for us and then we are going to have a proclamation for the groundbreaking of the new schools and then an actual resolution for the retirement of Dr. Domenic Paola, the Superintendent of our schools and then I will be moving up Resolution 2023-036, recognizing Dale Leathers on his retirement from the Village. I think that covers the changes. He then asked for a motion from Council for those changes. Anthony Bertone made the motion which was seconded by Christina Bacnik. All present voted aye. Motion passed.

From the Village Solicitor: James Lyons

No report.

From Mayor Timothy S. Manross:

Christina Bacnik said good evening everybody. We are going to have three students from the fifth grade here to do a presentation on Earth Day. Part of this exhibition project included some work here in the Village doing some cleanup. At this time the kids gave their presentation. The teacher in charge spoke a little about their day cleaning up and about this presentation.

The Mayor at that time read the proclamation for the groundbreaking of the new school campus.

He then read Resolution 2023-037, honoring the Superintendent, Dr. Domenic Paolo upon his impending retirement. A motion to approve the resolution was made by Frank Sarosy, seconded by Anthony Bertone. All present voted aye. Motion passed.

The Mayor then continued with the next Resolution.

RESOLUTION 2023-036

A RESOLUTION COMMENDING DALE LEATHERS ON THIS RETIREMENT AND FOR HIS MANY YEARS OF SERVICE TO THE VILLAGE OF FAIRPORT HARBOR. A motion to approve was made by Christina Bacnik, seconded by Jerry Hites. All present voted aye. Motion approved.

I need a motion to approve golf cart ice cream sales. I know the Police Chief has more information on this Chief Koran thanked the Mayor and said basically we needed to look back and we found out there was an ordinance that specified a specific district in the Village that you could have mobile food service and one of the things we found also with this ordinance was that for anyone to be able to do these types of services we had to have a motion by Council to pass it and I believe at this point we are going to do that with this to approve the food sales for Mr. Levine, but also we need to look at a possible way to change that ordinance so that we can do a simple administrative type of procedure on issuing a permit in the future. The Mayor said I know Mr. Levine has been working with the Health Department and he has all of his certifications and such that he needs from them. He just needed something from us so he could get his cart outfitted correct?. Chief Koran said that is correct, that was pending from the Health District right now. The Mayor said ok and I won't ask Council for a meeting tonight, but I'd ask the Chief and Amy to set up the appropriate committee and then we will put that legislation before committee and pass something here at Council at the appropriate time. So if Council does not have any objections I just need a motion to approve Justine Levine's golf cart ice cream sales. Christina Bacnik made the motion, seconded by Elisabeth Shaver. All present voted aye. Motion passed.

The Mayor said before he moves on he just wanted to thank the students again. I think you did a fantastic job with your board. I wish we would have seen the powerpoint. I have something planned for Friday so I won't make it, but I will try to get a look. Maybe we can post it on our website, but I just thought the presentation was fantastic and again it just shows, and I think it is important to get kids involved early in the community and giving back in the way they have there. So congratulations for that and thank you for all the hard work, I really appreciate it and you kids did a great job.

From the Village Administrator, Amy Cossick:

The VFW will be on the pier at 8:30 a.m., on Memorial Day; from there they will go to Veterans Park at 9:00 a.m., followed by a 9:30 a.m. service at Zion Lutheran Cemetery. The VFW will raise the colors, and the band will play the National Anthem.

Village Administration including the Mayor, myself and the Police and Fire Departments participated in Career Day at McKinley Elementary. Students from fourth grade to pre-k made their way through the gymnasium to learn about a variety of careers. The younger students even dressed up in costumes to let us know what they wanted to be when they grow up – there were doctors, nurses and even Spiderman made an appearance. Thank you to everyone at McKinley Elementary for organizing this event.

Included in your packet you will find a certified copy of a resolution adopted by the board of the Lake County Commissioners on May 4, 2023 that provides a written notice to all political subdivisions within Lake County that they will be adding the Lake County Sheriff, or his designee, as a permanent member of the Lake County Narcotics Executive board. Also, a copy of the draft of the mutual aid agreement mentioned in the resolution is included in your packets.

Raising Clean Water Awareness – This campaign consists of an installation of massive water drops designed by South African artist Neill Wright. The inflatable structures feature bold, tropical prints that capture in visual form the importance of clean water for healthy ecosystems. The installation will pop up across Greater Cleveland to educate communities about water conservation and “activate hundreds of Northeast Ohio residents to clean up area beaches.” The installation will appear in Fairport Harbor Memorial Park from May 19 through May 30 and will feature action steps that individuals can take to conserve water.

Just Run Lake County will take place in Fairport on Saturday, May 27 from 9:00 a.m. to 11:00 a.m. The organizers are expecting another large turnout with schools once again participating from all over Lake County.

From the Village Engineer, Clyde Hadden:

Clyde said thank you Mayor and members of Council, just a quick update. We are working on two projects that we want to advertise for bids for next month. This includes the Third St. Streetscape and Chestnut St. improvements and 2023 road improvements.

The Water projects, the water vault, as you know we had a pre-con meeting on April 21 to schedule for that starting and completing is going to be dependent upon the availability of equipment that they need to order for the vault. The other projects, the demo, the new water tower, and the secondary connection, we are waiting for the construction loan to be finalized and approved by the EPA before we can move forward.

From the Fiscal Officer, Christine Page:

For the month of April your revenue was \$287,782.74. Your expenditures for the month of April were \$366,435.89. Your reconciled balance is \$3,965,312.94. Interest for the month of April was \$15,666.11. The majority of our investments are currently collecting about 5.25% finally so just about everything we got is in Star Ohio so we are making as much money as we possibly can, as fast as we can. For the year-to-date your revenue is \$1,814,790.41. Your expenditures are \$1,438,137.37. Your check register is in the back if you have any questions.

OLD BUSINESS

ORDINANCE 2023-025 3rd Read

AN ORDINANCE AMENDING ORDINANCES 1133.02, 1133.04(a), 1133.05, AND 1133.07 (b) & (c) AND CREATING NEW ORDINANCES 1133.051 OF CHAPTER 1133 – SIGNS OF THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

A motion to suspend the rules was made by Anthony Bertone, seconded by Jerry Hites. All present voted aye. Motion passed. A motion to adopt was made by Anthony Bertone, seconded by Jerry Hites. All present voted aye. Motion carried.

SAFETY COMMITTEE

Mr. Sarosy said we had a committee meeting there two weeks ago regarding the Resource Officer for the school and Chief Koran has a few things he would like to touch on regarding that meeting.

Chief Koran said in our packet we have pretty much an entire section devoted to this including the colored graph. So I am just going to reiterate some of the stuff that is in that packet. A few months ago I was approached by the School Board and they wanted me to come up with a few ideas including a cost analysis of what it would take to get an embedded School Resource Officer in the schools. I did a rough estimate with some analysis and some study in there. I was able to put together a pretty good little idea that we would like to push forward, but first I am going to back up and explain what a SRO is. Most public schools including I think every one of them in this county has an SRO which is a School Resource Officer from their local Police Department jurisdiction in which the school district resides. They are responsible for the safety and security and also they perform positive acts of crime prevention as a liaison and an informal counselor between the students, staff and parents. An SRO in the school will also work with the school administration to create a positive, safe environment as well. Right now, especially with how things have evolved in the Country in the last year or so, we are basically in a different time and the need for this in our school I would have to stress is extremely vital especially with the tragedies we have witnessed lately. Basically, last year alone our Police Department spent 238 hours in the school for investigations and proactive policing between McKinley Elementary and the Harding High School. We also conduct on average 2 hours a day of policing presence for pick up and drop off in the morning and in the afternoon. I'm sure many of you have seen our police cars up there. We devote a lot of time there. I do want to make this clear, that was part of our crime prevention strategy and our community first policing model that I was committed to, when I took over. So I do want to stress that, but all that time, all of the resources expended to what is going on in the schools now is really taxing the department. So over the last few months I have had a lot of communications between the school administration and the Police Department and how we are working together on things and the one thing with the formulation of this SRO program, I do want to stress because there were some concerns, this is not in any way a replacement for daily, normal student behavioral problems. I want to stress that right now. So for the past few months when we have been studying this, I do feel that we are in the right time to do this. I think it would be a very good positive action and also if you look at the program the Police Department in the summer also gains an extra officer. So it is actually a benefit to the community which I believe will be essential because you know June, July and August we do have an increase in calls. We do have a need for an additional patrolman out there as well. So this really benefits the community as a whole. Tonight I am basically asking Council to approve me to go into negotiations with the school, formulate a contract and also I am going to have to ask for a full-time position eventually to facilitate this.

At this time Mr. Sarosy asked Chief Lloyd if he had anything. Chief Lloyd spoke about the Ambulance that was involved in an accident and about dealing with the insurance company. Also about a possible replacement vehicle.

LEGISLATION:

ORDINANCE 2023-037

AN ORDINANCE TO PAY THE BILLS. A motion to adopt was made by Frank Sarosy, seconded by Christina Bacnik. All present voted aye. Motion passed.

RESOLUTION 2023-034

A RESOLUTION AUTHORIZING POLICE CHIEF DAVID KORAN TO ENTER INTO NEGOTIATIONS WITH THE FAIRPORT HARBOR SCHOOL DISTRICT FOR THE PURPOSE OF REACHING AN AGREEMENT TO HAVE A SCHOOL RESOURCE OFFICER WORKING AT THE VILLAGE SCHOOL SYSTEM AND DECLARING AN EMERGENCY.

Mr. Bertone asked if we could have a discussion on this for a minute. The Mayor said of course. Mr. Bertone went on to say at the committee meeting they had in the last couple of weeks he thought they had talked about making sure this would be a sustainable position and also keeping it as one. Also he thought that this officer would be only for the school because the school is open all year round with the different programs and such. He talked about how we don't have funds for this and that it really needs to be sustainable. His understanding at this point is that the funding portion from the school is only for 5 years. He would be interested in 10 years, 20 year funding. So he thinks prior to negotiations directly, your office and the school, you know we have to approve that so maybe the Safety Committee can be part of that. You know there has to be something where you come back to Council and say this is what we learned, this is how we can make it sustainable and this is how it is going to last Fairport for a lifetime.

Mr. Sarosy said the Chief has met with Chris and we have gone over the expenditures and talked about it, it's a need and the work Chief Koran did is tremendous. We answered a lot of the questions the audience had at the committee meeting and we have the legislation here tonight. Most of the Council members were at the committee meeting and I think we need to at least get this part going so we can sit with the school. I believe the school is going to be having a meeting next month.

Mr. Bertone said I see the legislation respectively Frank, but I don't see a funding mechanism. You can't tell me right now that we have funds for next year or the year after or five years at this point where maybe we will get grants and then we have to get it out of the General Fund, but I don't know how we negotiate a deal if we don't know how we are paying for it. Now negotiating a structure of how it would work is one thing and like I said I fully support this. We should do this but we also have to pay for it so we don't want to mislead folks saying we are going to do this and then yank it back. That is more unfair than not having it at all and I don't see any data, I don't see Chris' data, I don't see anything that says we can do this five years from now or a year from now.

Mr. Hites said in the resolution it says the Police Chief shall report back to the administration and Council the details of his negotiations and any recommended contractual language that he believes necessary to implement the position of a School Resource Officer. So he has to come back to us anyway.

Mr. Sarosy said this is just to get it moving.

Chief Koran said if you look at the back page on the formulation of what I am looking at on the contract, there is a five year plan on the back with the graph and the funds. He continued to talk about where the money was coming from not only the Village's share, but also the schools. But the school's share is up to the School Board to figure out. He went on to talk about Chris speaking on the financial aspect of this and the fact that he cannot do this without another full-time employee.

Mr. Bertone agreed with him on this point saying that is why he was asking to make sure that we have that money. He went on to say I guess my question is then, why do we need the resolution why can't the Chief negotiate this and bring it back to the table or bring it back the safety committee or bring it back to a joint session between the school board, the school, Council, safety Committee, why the resolution. Maybe Mr. Lyons could answer that.

Mr. Lyons said it was requested of him to prepare it by Amy after talking to the Mayor and I thought it was a good idea also because it names the Chief as our representative to officially represent the Village in contract negotiations to try to come up with this and it named a point person and Council is all agreeing that he is that point person and he is responsible to report back to not only the Administration, but also to the school.

The Mayor said the reason for the resolution again is Council's role in this is to fund it and once the funding is given it's his position to do what he wants with. So that is why he gets to negotiate the position and come back with the numbers. And I thought we got decent numbers here with the budget so basically the Village is on the hook for the 15%, there is contract language whether the School Board agrees to it or not, I think it is 5 years, one year before the end of the five is when a notice needs to be given on whether they are going to get out of the contract or renew the contract. I personally would like to see it more like the metroparks contracts like we have done in the past where in 5 years they renew automatically. You don't get out of it, you just keep going. I think that is the piece that would give the community some confidence that this is fully funded from the school side for the 75%. It would be Council's decision to say it would cost the Village 25% of Village funds to pay for and that would definitely come out of the General Fund there is no other fund so we would continue delete the unencumbered balances that we have going forward that is definitely not a funded position we are definitely going to have to adjust money or we are going to have to go to a levy at some point to increase that revenue. We can't just keep taking down the General Fund by 15, 16 17,000 each year as this goes on so there is going to have to be that mechanism, but for right now we have unencumbered funds to handle it, but again it's on the school to pay their portion of it. But if it does go away, Mr. Bertone is not wrong in the fact, and I said it at the meeting that we had and I will say it again, I don't think there is anybody that is sitting at this table that will take that position away from that school system if they stop paying for it. I'm not saying that they are going to. But it is Council's

responsibility to fund this position and I don't know how we work that out but that is what we are trying to work out and I think we are just going to have to have it in a contract with them because I don't know how we fund it in any other way. To me I think this is the best way to move forward to get it negotiated and then we could do something solid before a Council whether that comes back to a Safety Committee. At this point I think it comes back to a full body. I don't think we need to take it to a committee again. I thought we hit the notes from the meeting myself with this budget and the talking points, but that was the reason for the resolution.

Mr. Bertone said he agrees they have hit most of the points and I understand that we are trying to get to a point where we can get a contract. I just want to make sure that that is what we do and maybe we are mandating this by resolution that it has to continue because once we start this we don't want to stop it. We are building a new school. We want it to be a success in all ways and it includes this. Again I would also caution that we plan on using this officer. Chief, you are making the argument for me. You cannot support the school with the police as it is right now right so we need to dedicate this police officer to the school all the time and I wouldn't base our contribution on we are going to get that person back, that is one of the things we talked about in the last meeting. Bringing that person back over the summer. That school if everything goes right is going to become stronger and they're going to have more programs and they are going to need that officer over there and then the conversation that we are going to have at that time is well we really need to leave that officer over there so I need to hire more part-time or another full-time person. I've been here for almost 25 years, I've heard this conversation before about why it did not work and we need to have more officers and I agree. Our mandate in the United States at this level is to protect the citizens, protect the welfare of everybody. We don't want to do that and then pull it back so if we want to have a Safety Resource Officer it should be that. It should be at the school all the time so the school can count on it. Whoever is working that desk, that reception desk knows they don't have to worry on June 1 when school goes out that some bad guy might get in and do some harm to the school or to that person or events aren't going to be able to be held there properly in the summer, graduation, summer events, we need to think about all of those things. So if this legislation's intent is to negotiate that out, let's do that and then come back and do something. We really need to run through more than what I see here. We need to operate this as though this is a business structure that is always going to happen from here until eternity. You know all of us in the room are gone, dead and buried and this officer is still there should be our goal and we need to look at how we do that and if it means on a temporary basis of ramping it up part-time until we can get it ramped up maybe first quarter, second quarter or first semester, second quarter or however that is we need to have all those things laid out so we understand it. It shouldn't be that we have agreed we are going to do this for 5 years, Council please give us the money. It really needs to be more in depth than that so that when we do this, it is locked, it's solid, it's forever and I would even support it by resolution to say we can't get rid of that position, because it is something we need. I'm just being cautious, Mayor. I think if we are going to do this, and we should, we should dot all the I's, cross all the t's and make sure this is rock solid. Hand in hand with a brand new school and a brand new future and do it in a way that is successful. This has been attempted several times and it never has worked out. So let's make sure it works out. You are the guy negotiating it with the school, that is great, but it is also going to require a team. So I would be in favor of the resolution, but I am throwing it out there that I would expect more steps beyond this to make this perfect. I understand you are working hard, this is good work and it is getting us further down the road than anyone has gotten us

before, but I have been here a long time, we got to make sure this gets us over the end zone line and is good and is rock solid forever.

A motion to suspend the rules was made by Frank Sarosy, seconded by Christina Bacnik. All present voted aye. Motion passed. A motion to adopt was made by Frank Sarosy, seconded by Christina Bacnik. All present voted aye. Motion carried.

RESOLUTION 2023-035

A RESOLUTION TO AMEND PERMANENT APPROPRIATIONS, AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Anthony Bertone, seconded by Jerry Hites. All present voted aye. Motion passed. A motion to adopt was made by Anthony Bertone, seconded by Jerry Hites. All present voted aye. Motion carried.

OPEN TO THE PUBLIC

Mike Gavelda spoke about the need for a place for the residents to drop their yard waste and asked if Council could work on making an area for this to take place. The Mayor thanked him for bringing this up because he forgot to talk to Amy about this. I don't know what the long term solution to this is and you are right we might be able to return something here once the tower is erected. We might be able to go back on some of the land fill property and open that gate. Actually I just had a conversation with Gabe Ciconetti, one of the Painesville trustees from the township, cause right at the top of Nursery Road the Township has their dumping site. They are open on Wednesdays and Saturdays. So he gave me a figure to pay the extra people they would need for the influx. He was thinking \$250.00 a week or was it a month. I'm a little fuzzy on the numbers so I have to call Gabe again, but that might be an option to go to Nursery Road for the short term until we can solve it long term here. So I like you. I like to take my stuff when I want to take it. I hate having it sit in the bag because the bottom of the bags rot. So Jerry brought it up a month ago and we have been working behind the scenes to try to figure out a solution. So I don't have one yet, but we should be able to come up with something. So thanks for bringing it up. It's very much on the tops of our minds. The Mayor said in the meantime it's every two weeks, I have nothing at the moment. Mike said they can't open up a section back there, there is so much room back there. The Mayor asked Clyde what we could do back there. Clyde said he would check into it.

The Mayor said if there is nothing else from the public at this time he would ask for a motion to adjourn. This motion was made by Christina Bacnik, seconded by Jerry Hites. All present voted aye. Motion passed, meeting adjourned.

FISCAL OFFICER

MAYOR