

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD: September 19, 2023

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on September 19, 2023 at 7:30 p.m. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:

Council Members	Berzins, Lasky, Tommer, Walsh
Mayor	Procuk
Clerk/Treasurer	Frank
Law Director	Dowling
Assistant Law Director	
Engineer	Zoldak
Police Chief	
Fire Chief	
Asst. Fire Chief	
Service Director	Blados
Bldg. Commissioner	
Asst. Bldg. Comm.	
Comm. Service Director	
Recreation Director	
Soccer Commissioner	

Guests: None

MOTION: Lasky moved to excuse council member Jen Presot due to illness. Seconded by Berzins. Motion carried 4-0.

MAYOR PROCUK

Retired Sgt. Lou Baudo of our Police Department passed away suddenly over the weekend. His obituary was distributed. He was cremated today and a celebration of life at the Community Center is being planned by the family. Mayor Procuk asked for a moment of silence in remembrance of Sgt. Baudo's 29 years of service. Mayor Procuk told the family that he will have our flags put at half-staff all day on Thursday. Sgt. Baudo was one of two officers who were seriously injured in the 1990's. He was pinned between two cars at an accident scene and they thought he would never walk again. He recovered from the injuries and was later promoted to Sergeant.

CORRESPONDENCE / MAYOR PROCUK

A press release, dated September 15, from Rebecca C. Lutzko, United States Attorney for the Northern District of Ohio, was read into the record as follows:

Seven area men were arrested after being charged in a 16-count indictment alleging mail theft, mail fraud and conspiracy. Rebecca C. Lutzko, United States Attorney for the Northern District of Ohio, announced that a federal grand jury sitting in Cleveland returned a 16-count indictment, charging seven men with mail fraud, aggravated identity theft, conspiracy to commit bank fraud and wire fraud. A joint investigation by the US Postal Inspection Service, the Highland Heights Police Department, the North Royalton Police Department, the Brooklyn Heights Police Department, the Shaker Heights Police Department and the United States Post Office of Inspector General, led to the arrests on September 11, 2023. And then it names the people, which really isn't that important except to note that they range in age from age 20 to 23. Seven individuals were indicted for their roles in a check fraud scheme in which checks were stolen from the US mail and altered or forged and then deposited into various accounts for withdrawal. These arrests follow guilty pleas by 11 other defendants involved in similar criminal activities throughout the Northern District of Ohio. The United States Postal Inspection Service is aggressively investigating cases involving theft from postal carriers and the US Mail. Offenses like these can compromise the integrity of our mail system and harm not only the individuals whose mail is stolen, but the public at large said US Attorney Rebecca C. Lutzko. The United States Attorney's Office will continue to work with the United States Postal Inspection Service, and other state and local partners to aggressively prosecute criminals who steal from the US Mail and abuse our community's banks. These recent arrests should serve as notice to would-be criminals that services dedicated to defending the nation's mail system from criminal activity, preserving the integrity of US Mail and protecting the United States postal employees. An indictment is only a charge and not evidence of guilt, a defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt. If convicted, the defendant's sentence will be determined by the court after review of factors unique to this case, including the defendant's prior criminal record, if any, the defendant's role in the offense, and the characteristics of the violation. In all cases, the sentence will not exceed the statutory maximum. And in most cases, it will be less than the maximum.

The reason this was read into the record was due to the involvement of Detective Mike Tulcewicz. One of our businesses had a check intercepted, someone added a zero or two to the amount and Detective Tulcewicz became involved. Detective Tulcewicz and the Brooklyn Heights Police Department played a major role in the investigation.

SERVICE DEPARTMENT / JOE BLADOS

- He met with Kimble today and reviewed the paperwork for the EPA allowing us to dispose of road sweeping debris.
- Once the Clerk/Treasurer confirms that the street sweeper is covered by insurance they will begin sweeping the roads as necessary.
- They killed the weeds on Granger Road and it will look good when complete. He will take samples to Barberton for testing. This will allow us to have a two-year license for disposal through Kimble.
- He reached out to the Baudo family offering assistance for the celebration of life on Thursday.
- Mr. Berzins complimented on how the bridge area looks and Mr. Blados shared that they will continue to clean up and make it look good for the businesses.

ENGINEER / JENNIFER ZOLDAK

Spring Road Project Funding: A large part of the funding is through OPWC. They were anticipating utilizing community cost sharing dollars from the Sewer District however when they opted not to remove all the concrete aprons due to trucks not able to turn around with the aprons, the project was not eligible as a storm water improvement. They also had contemplated using county money to do reimbursement for a storm and sanitary repairs but after review, realized the money doesn't exist as they thought it did. They chose to leave the county maintenance fund as is and utilize it for emergencies.

MAYOR'S REPORT / MAYOR PROCUK

- He met with three representatives from Weston and they are happy to say that they have no vacancy space in the Village. Weston wanted to meet due to issues with the trash pickup. There is one house on Van Epps, at Spring Road that is right behind the businesses. Different trash haulers, thinking it's an industrial area, come in at three o'clock in the morning. This is illegal and he has advised the resident to call the police so they can enforce the law.
- Weston also wanted to discuss the truck traffic, as some of the trucks are 53' long and there isn't sufficient room for them to turn around. This causes the lawn area to be ruined. This is the reason the work was done on Spring Road

CLERK-TREASURER / AARON FRANK

MOTION: Walsh moved to approve the August 15 and September 4 meeting minutes. Seconded by Tommer. Motion carried 4-0.

MOTION: Berzins moved to approve payment to Mansour Gavin in the amount of \$1,855. Seconded by Walsh. Motion carried 4-0.

MOTION: Tommer moved to pay \$1,334.68 to LogoUp for uniforms and t-shirts for various departments. Seconded by Lasky. Motion carried 4-0.

MOTION: Walsh moved to pay \$1,987.55 to Classic Chevy for vehicle parts. Seconded by Berzins. Motion carried 4-0.

- He thanked all the department heads for completing the required E-checks for the EPA and all was submitted before the deadline.
- Mr. Frank asked Engineer Jenny Zoldak if she wanted to explain the OPWC funding for Valley Belt. Ms. Zoldak responded that she and Mr. Frank reviewed different funding strategies and how much would be in the form of a loan, potential grants and out of pocket and you receive a certain amount of points for each. They have a formula for what was awarded in the past and what has the highest likelihood for approval and it was submitted on Thursday. This is just like the Spring Road funding.
- As of August 31st, we have 3.1 Million in our General Fund giving us a total surplus of \$492,000.
- In the Capital Fund there has been a lot of activity and another payment is due for the Spring Road Project and additional revenue for that is expected. This should be wrapped up by the end of the year.

- There is a fund that has been dormant for years and if the legislation is passed this evening for the West Resource Drive Fund transfer, these funds will be transferred into the Capital Fund.
- We pay the OPWC twice per year and if approved by the auditors and Law Director, he will move the \$159,000 to the Spring Road payment and get that balance down.
- All other funds are good. The SCMR Fund has approximately \$320,000 and could be utilized for street repair.
- Budget review will be here before we know it and it's good to familiarize yourself with the budgets especially for capital projects.
- We are running 2.3% under budget at 66.67% of the year. The service and safety services are running really, really well under budget.
- In August, \$92,000 was transferred into Capital and in September, \$71,000 will also be transferred into Capital.
- The September municipal income is slightly lower than last year at \$478,000. If we continue to move at the pace we're at, we would end the year with 8.1 Million in municipal income, much higher than last year. If we average \$466,000 per month for the next three months, we will hit exactly where we were last year.
- Mayor Procuik added that we spent 4 Million in capital projects this year which he believes has never been done before. We are running a half million dollars, year-to-date, of what our expectations were.
- Mr. Frank shared that we had 1.8 Million in the Fund when he started in June of 2018.

ORDINANCES & RESOLUTIONS

ORDINANCE 83-2023 AN EMERGENCY ORDINANCE TO AUTHORIZE THE CLERK/TREASURER TO TRANSFER FUNDS FROM THE WEST RESOURCE DRIVE FUND INTO THE CAPITAL IMPROVEMENTS FUND

Sponsor: Berzins

Second: Walsh

Yeas: 4 / Nays: 0

Ordinance 83-2023 is adopted 4-0

ORDINANCE 84-2023 AN ORDINANCE AUTHORIZING THE CLERK/TREASURER TO EXECUTE AN AMENDMENT TO THE SETTLEMENT AGREEMENT WITH KURTZ BROS.

Sponsor: Lasky

Second: Berzins

This Ordinance will be placed in front of Council at the October 3rd meeting for consideration to vote on it.

ORDINANCE 85-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK TREASURER TO ENTER INTO AN OHIO AMBULANCE TRANSPORTATION PROGRAM SUBRECIPIENT AGREEMENT WITH THE STATE OF OHIO THROUGH THE OHIO OFFICE OF BUDGET AND MANAGEMENT FOR THE PURPOSE OF PARTICIPATING IN THE AMERICAN RESCUE PLAN ACT

Sponsor: Walsh

Second: Tommer

Yeas: 4 / Nays: 0

Ordinance 85-2023 is adopted 4-0

ORDINANCE 86-2023 SEPTEMBER PAY ORDINANCE

Sponsor: Lasky

Second: Walsh

Yeas: 4 / Nays: 0

Ordinance 86-2023 is adopted 4-0

RESOLUTION 16-2023 AN EMERGENCY RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 R.C.

Sponsor: Walsh

Second: Lasky

Yeas: 4 / Nays: 0

Resolution 16-2023 is adopted 4-0

RESOLUTION 17-2023 AN EMERGENCY RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LIENS AND CERTIFYING THEM TO THE COUNTY AUDITOR

Sponsor: Tommer

Second: Berzins

Yeas: 4 / Nays: 0

Resolution 17-2023 is adopted 4-0

There being no further business to come before the Council, it was moved by Berzins and seconded by Walsh that the meeting be adjourned.

Yeas: All

Meeting adjourned.



Mayor



Clerk/Treasurer