

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD \_\_\_\_\_ April 4, 2017 \_\_\_\_\_ 20 \_\_\_\_\_

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on April 4, 2017 at 7:30 P.M. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:

Councilmen:	Black, Foote, Lahiff, Lasky, Walsh
Mayor:	Procuk
Clerk/Treasurer:	Clymer
Law Director:	Dowling
Engineer:	Brett Keller
Police Chief:	Algeri
Fire Chief:	
Service Director:	Hatgas
Bldg. Commissioner:	Monaco
Comm. Service Dir:	
Recreation Dir:	Frank

**MOTION: Mr. Foote moved to approve the minutes of the regular meetings of March 7<sup>th</sup> and March 21<sup>st</sup>, 2017. Second by Mr. Walsh Motion approved 5-0**

### CORRESPONDENCE

- Karen Kirsch, First Energy liaison, said the Spring Routine Patrols with the helicopter will begin.
- Chief Sturgill, CH Police Department, sent a letter stating that the collaborative Local Government Safety Grant was awarded in the amount of \$230,648 for the purchase of 800mh radios for the squad cars. They will meet to discuss the distribution of the funds.
- Ladies Night Out- Mission Nutrition will be held on April 22<sup>nd</sup> through the Cleveland Clinic. The information is on the website.

### AUDIENCE

Mayor Procuk introduced a team from Mobility Life to discuss the installation of a 75' cell tower on West Resource across from Kohler Rubber on the tree lawn. The purpose of the tower is to speed up internet connection in the area.

Mr. Lahiff asked when this would begin and the answer was within the month. Once they get the go ahead it would take a few weeks because the concrete would have to set.

Mr. Lasky asked why it couldn't be placed at either end of Resource or Keynote where it wouldn't be as visible to the residents who would go past it to the development.

The answer was that they do an overview of the failure areas and put the tower in a central location pertinent to the failures.

Mr. Walsh asked why they didn't need council approval and Mr. Dowling responded that per the State of Ohio, zoning laws don't apply to utilities.

Mr. Walsh also said that it would be an eyesore and they responded that statistics show that in a few weeks' poles become invisible and no one will even know it there anymore.

Mayor Procuk said their original plans called for a 125' tower and then they found they could accomplish their plan at 75'.

Mayor Procuk said the short answer is that the State of Ohio allows the utilities to use the right of way.

Building Inspector Monaco said the permit is available. They had a couple of changes on the drawing and they will also address the traffic issues.

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### POLICE CHIEF

- **Mr. Black moved to pay Firehawk \$1,600.56 for vehicle repairs. Second by Mr. Walsh Motion carried 5-0**
- Ordinance up tonight has a typographical error. We are purchasing the vehicle from Gillingham Ford, not Lebanon Ford. Council approved \$25,000 and the purchase price is \$24,262.
- Local Government Safety Grant was awarded in the amount of \$230,648 for the purchase of 800mh radios for the Police and Fire department vehicles. Brooklyn Heights' portion will be \$51,637 with a percentage match of \$5,737 and we will purchase fifteen mobile radios. Chief Algeri said that Cuyahoga Heights budgeted and paid for the upgrades to accommodate the 800mh radio system at no charge to Brooklyn Heights.
- Chief Algeri would like to have a Safety Committee meeting called to discuss cameras speed enforcement and Lexipol software for the Police Department. Mr. Walsh called the meeting for April 18<sup>th</sup> at 6:45 pm.

### FIRE DEPARTMENT

No report since both Chief Stefanko and Asst. Chief Lasky are at the swearing-in of the new Valley View Chief Ken Papesh.

### SERVICE DIRECTOR

- Arbor Day will be on Sunday, April 23<sup>rd</sup> at 1pm at pavilion #2. If inclement weather it will be held at the Community Center
- The cost of a new Valley Freightliner truck would be \$155,965. The interest rate would be 3.03% with no initiation fee and all payments would be in arrears so there would be no payment in 2017. This truck would be used for snow plowing, salting and recycling. It would have an automatic cover tarp. A CDL license is required. If we purchase this truck it would allow us to get rid of a 1996 F-750 and 1999 F-450. Mr. Lasky asked if we would be keeping JUMBO (Sterling) and Mr. Hatgas said we would.  
Mr. Lahiff asked to confirm that it is a six-year lease, with the payments at the end of each year, and we would own it at the end of six years. The contract quote is valid until April 30, 2017. This is a State Bid.  
Councilman Black said he thought council said they were pushing this to October/November to see how the finances played out this year. Mr. Lahiff said he thought it was because we wouldn't need it until October. Mr. Hatgas said that was correct but even if we get it now we wouldn't pay on it until next year.  
Councilman Foote is concerned about the income over the next several months and doesn't want to make such a large decision hastily.  
Mr. Lahiff asked what the lead time would be and Mr. Hatgas responded that at present it would be 90 to 150 days. Presuming we wouldn't need the truck until winter, Mr. Lahiff asked if we could look at this in July. Mr. Walsh thinks August would be the latest and Mr. Hatgas said that the timeframe would probably be extended due to others having their vehicles built also.  
Mr. Black asked his fellow council members if they want to wait and take their chances with new pricing. He asked when the first payment would be due and Mr. Hatgas said sometime next year. *(Note: The leasing company would pay Freightliner and we would make one \$28,000 payment a year for the next six years. This is a lease to own).* Mr. Walsh said if we hold off on this until July or August we wouldn't see the truck until after the first of the year.
- Consensus is to hold off until later in the year to make a decision. They will have an ordinance drawn up for the April 18<sup>th</sup> meeting and make a determination at that time.

### RECREATION DIRECTOR

- **Aaron Frank** – 145 kids have signed up for summer baseball. Sixty applications were on paper and eighty-five applications were on-line. He called the sixty parents and helped walk them thru



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- the on-line process. He stated that Valley View and Cuyahoga Heights are having trouble fielding teams.
- **Narlin Shadd** – 115 kids signed up for soccer. Shirts are ordered and are ready to roll. Soccer will begin April 26<sup>th</sup>. The Elk's Soccer Shoot Out is May 6<sup>th</sup> from 11am to 1pm.

### ENGINEER

- **MOTION: Mr. Black moved to accept the Pave & Repair Program at a cost of \$225,000.00 with \$72,400 to be paid by the county. Second by Mr. Walsh Motion carried 5-0**
- He thanked Mobility for submitting their revisions for review
- Documentation has been submitted by Solar for the greenhouse property on Schaaf Road. The end of the month they will have the final invoices and close out the grant.
- We've applied to the Cleveland Water Department Suburban Water Main Program to replace the water mains on West 5<sup>th</sup> And West 8<sup>th</sup>. We'll know by the end of May whether either or both projects received funding.
- NPD annual report to the EPA has been submitted.

### BUILDING DEPARTMENT

- Four (4) Point of Sale Inspections: 5139 W 6<sup>th</sup> (sold), 238 E. Schaaf, 597 E. Schaaf and 340 Tuxedo (sold)
- Eighteen (18) residential inspections
- Three (3) rental inspections: 5146 W. 5<sup>th</sup>, 5145 W. 8<sup>th</sup> and 897 E. Schaaf Rd.
- Eight commercial inspections
- Two new businesses: Toth Painting @ 210 Hayes Suite E and a Trucking Co. @ 220 Eastview
- Mr. Monaco and the law department battled for four months to get the tower on Lancaster lowered from 125' to 75'
- ICE will expand their 2<sup>nd</sup> floor by 2,000 square feet.

Mr. Walsh asked how many employees in ICE and the answer is 80.

Mr. Shadd asked what will happen to the Schaaf Road property now and Mayor Procuk said that any developer could now come in and build on it.

Mr. Shadd asked about the property at 817 E. Schaaf Road and was told that there has been a bid of \$63,000 on it. It is a foreclosure and needs a total rehab. The bidding was on HUBZU.

### LAW DIRECTOR

No report

The state has tied our hands and he worked with Nino and Mike Henry to minimize the effect on the area.

### CLERK / TREASURER

No report.

**MOTION: Mr. Black moved to pay Summit Risk Services \$2,500 for defending us in the Ewelt employment matter in 2016. Second by Mr. Walsh Motion carried 5-0**

*Note: They act as the agent of Selective Insurance Agency and this cost is our deductible.*

Councilman Black said he received an email from a resident regarding the trash cans on the tree lawns. Mayor Procuk said that we have an ordinance in place that says trash cannot be put out before 6pm the night before collection and the cans must be brought in by sunset the day of collection. Councilman Black asked that we monitor the situation. He also thank Mr. Hatgas for the trash/recycling calendars which were purchased through grant funding from the County Solid Waste District.

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### COMMUNITY SERVICES

Mrs. Guilfoyle is out on sick leave.

- Thank you to the Men's Service Club for the \$500 donation to Meals on Wheels
- Thank you to the Men's Service Club for the \$250 donation to the Older Americans Recognition Lunch and to the Women's Service Club for their \$350 donation to the same.
- She attended the CDSG award meeting today. When the info is complete we will order the new handicap van and give the minivan to Nino.
- Two sessions of Spring Art in the Park are scheduled for April 19<sup>th</sup> & 21<sup>st</sup>. CHS students will assist and earn community service hours.
- May 2<sup>nd</sup> is the Older Americans Luncheon. Mrs. Guilfoyle is asking for a commitment for serving and also for door prizes.

Mayor Procuik also thanked Councilman Lahiff and the MSC for pursuing the memorial plaques for the Remembrance Trees. Councilman Lahiff stated that this is a joint effort between the Service Clubs.

### ECONOMIC DEVELOPMENT

Mayor Procuik said he had no detailed report but will bring council up-to-date on the vacancies.

- CDRE – no vacancies
- Charles Schultz – one 7,000 square foot vacancy
- OMNI – 24,000 square foot vacancy
- Condeni – no movement on the building
- Weston – 37,000 square foot available space (was Superior Tool) with some prospects
- CRESCO – the CHELM building has 8,000 square foot vacancy
- FOGG – seven address open (18 units, 13 which are small units)
- Metro – They will occupy all the buildings in Brooklyn Heights but there is no time frame yet.
- Geis property – a meeting is scheduled for April 10<sup>th</sup> with Greg Geis and a prospect.

### MAYOR'S COURT

Income for March	\$ 8,678.66
State of Ohio	( 1,314.00)
Indigent Driver & Alcohol	( 39.00)
Reg. Enterprise Data Sharing System	( 120.00)
BROOKLYN HEIGHTS	\$ 7,205.66

### MAYOR'S REPORT

- Governor Kasich has presented the State Budget and it has to be passed by June 30<sup>th</sup>.
- Advised to watch the local government fund
- The State wants to collect the net profit tax and trickle it down instead of RITA, CCA or cities collecting their own taxes.
- The state legislature is pushing to no longer have Home Rule on tax collections.
- NOPEC might be affected to put a tariff on Nuclear Power Plants since they buy power from many sources.
- State tax revenue is rapidly decreasing
- Attended: Destination Cleveland annual meeting  
Mayor Jackson State of the City Address  
Cuyahoga County Board of Health District Advisory Committee Meeting (secretary)  
Will attend the "Empower Local Leadership Conference" in Washington D.C. May 18<sup>th</sup> & 19<sup>th</sup> with Congresswoman Fudge, Congressmen Joyce and Renacci.
- Mayor Procuik said Joe Presot is doing a great job identifying the businesses.

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### ORDINANCES & RESOLUTIONS

**ORDINANCE 21-2017** – AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK TREASURER TO ENTER INTO A CONTRACT WITH LEBANON FORD FOR THE PURCHASE OF ONE (1) 2017 FOR INTERCEPTOR SEDAN FOR USE BY THE VILLAGE OF BROOKLYN HEIGHTS POLICE DEPARTMENT.

*MOTION TO AMEND: Mr. Lahiff moved to amend the ordinance to read "Gillingham Ford" instead of Lebanon Ford. Second by Mr. Walsh*

*Yeas: Lahiff, Walsh, Lasky, Foote, Black*

*Nays: None*

*Amendment carried 5-0*

Sponsor on the amended Ordinance: Mr. Lahiff

Second: Mr. Black

Yeas: Lahiff, Black, Foote, Walsh, Lasky

Nays: None

Ordinance 21-2017 is adopted as amended 5-0

### **ORDINANCE 22-2017** – APRIL PAY ORDINANCE

Sponsor: Mr. Foote

Second: Mr. Lasky

Yeas: Foote, Lasky, Lahiff, Walsh, Black

Nays: None

Ordinance 22-2017 is adopted 5-0

There being no further business to come before the council, it was moved by Mr. Black seconded by Mr. Lasky that the meeting be adjourned.

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer



Mike ProcuK

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From: kekirsh@firstenergycorp.com  
Sent: Monday, April 03, 2017 12:50 PM  
To: Mike ProcuK  
Subject: CEI Helicopter Patrols  
Attachments: N7193Y Robinson R-44 Apr 2017.jpg; N4QX MD 500 Apr 2017.JPG

Vista1 will be transitioning into Spring Routine Patrols which is a general, overall look at the conductor and associated hardware. A routine patrol is generally flown at speeds of 25-30mph and at times the helicopter may hover in certain areas to get a better look of any problems or issues found. The contractor may be using various helicopters for these patrols – please see attached photos.

Karen Kirsh

FirstEnergy Service Company

216-281-8007 (See attached file: N4QX MD 500 Apr 2017.JPG)(See attached file: N7193Y Robinson R-44 Apr 2017.jpg)

ORDINANCE RECORD  
COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

Ordinance No. 02- 2017

By \_\_\_\_\_

AN EMERGENCY ORDINANCE AUTHORIZING THE  
MAYOR AND/OR VILLAGE CLERK/TREASURER TO  
ENTER INTO LOCAL GOVERNMENT SAFETY CAPITAL  
GRANT MEMORANDUM OF UNDERSTANDING

WHEREAS, it is the desire of the Mayor and Village Council to be eligible for a grant of in excess of \$50,000 with a matching contribution from the Village of \$5,737.

THE VILLAGE OF BROOKLYN HEIGHTS HEREBY ORDAINS THAT:

Section 1. That the Mayor and/or Clerk/Treasurer are hereby authorized to enter into a Local Government Safety Capital Grant Memorandum of Understanding to be eligible for a grant of in excess of \$50,000 with a matching contribution from the Village of \$5,737, to be used to purchase 15 mobile 800 MHZ radios, 11 for the Village Police Department and 4 for the Village Fire Department.

Section 2 That the Mayor and/or Clerk/Treasurer are hereby authorized to execute said Memorandum of Understanding and to take such action and to execute such other documents and amendments thereto as may be necessary as are approved by the Law Director.

Section 3 That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4 That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village of Brooklyn Heights. The reason for this emergency is so the Village will be eligible for a grant in order to purchase 15 mobile 800 MHZ radios for both the Police Department and the Fire Department. Therefore, this Ordinance shall become immediately effective upon receiving the affirmative vote of four (4) members elected to Council and approval of the Mayor and/or Clerk/Treasurer otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Timothy D. Clymer,  
Clerk/Treasurer

APPROVED: \_\_\_\_\_  
Michael S. Procuk,  
Mayor



## Village of Cuyahoga Heights Police Department

5480 Grant Avenue • Cuyahoga Heights, OH 44125

Chief Brian D. Sturgill • Phone: (216) 883-6800 • Fax: (216) 883-4832

[B.Sturgill@CuyahogaHeights.com](mailto:B.Sturgill@CuyahogaHeights.com)

December 14, 2016

TO: Cuyahoga Valley Region Chiefs

FROM: Chief Brian Sturgill

RE: Local Government Safety Capital Grant MOU

### Local Government Safety Capital Grant Memorandum of Understanding

This Memorandum of Understanding (MOU) is entered into by and between the Police Departments and Fire Departments of the Village of Cuyahoga Heights, the Village of Valley View, the Village of Brooklyn Heights, and the Village of Newburgh Heights.

The four participating communities respectfully request \$230,648 for the purchase of MARCS compatible mobile in-vehicle 800 MHz radios. If awarded, 67 MARCS compatible mobile in-vehicle 800 MHz radios will be purchased at a per-unit cost of \$3,825. The four participating communities commit to a 10% cash match valued at \$25,627, allocated proportionally among the communities based upon the number of radios needed.

Radios will be purchased by each participating safety department based on their respective need. The Cuyahoga Heights safety forces will purchase 15 total radios, 8 radios will be allocated to the Cuyahoga Heights Police Department and 7 radios will be allocated to the Cuyahoga Heights Fire Department. The Valley View safety forces will purchase 24 total radios, 14 radios will be allocated to the Valley View Police Department and 10 radios will be allocated to the Valley View Fire Department. The Brooklyn Heights safety forces will purchase 15 total radios, 11 radios will be allocated to the Brooklyn Heights Police Department and 4 radios will be allocated to the Brooklyn Heights Fire Department. The Newburgh Heights safety forces will purchase 13 total radios, 8 radios will be allocated to the Newburgh Heights Police Department and 5 radios will be allocated to the Newburgh Heights Fire Department.

Allocation of the grant award among the four participating communities will directly relate to the total number of radios each receives. Of the \$230,647 in grant funding requested, \$51,637 will be allocated to the Village of Cuyahoga Heights, \$82,620 will be allocated to the Village of Valley View, \$51,637 will be allocated to the Village of Brooklyn Heights, and \$44,753 will be allocated to the Village of Newburgh Heights.

Allocation of the cash match among the four participating communities will also directly relate to the number of total radios each receives. Of the \$25,627 in matching funds committed, \$5,737 will be allocated to the Village of Cuyahoga Heights, \$9,180 will be allocated to the Village of Valley View, \$5,737 will be allocated to the Village of Brooklyn Heights, and \$4,973 will be allocated to the Village of Newburgh Heights. By signing, the undersigned represent that their respective Departments will commit the funds necessary to satisfy their cash-match obligations.

The Village of Cuyahoga Heights will assume the "Lead Applicant" role during the grant application process. Each respective community will be responsible for providing Cuyahoga Heights with the necessary data and documentation to complete the application.

If awarded, each respective community will be responsible for their own grant accounting as well as any additional costs above and beyond the quoted cost of installation.

Cc: W. Mason; B. Chojnacki; J. Bacci; File



Mike Procuk

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**From:** Brian Sturgill <B.Sturgill@cuyahogaheights.com>  
**Sent:** Monday, March 27, 2017 8:41 AM  
**To:** Barbara Cash; Brian Higginbotham (bhigginbotham@newburghhtsoh.gov); Dan Algeri; John Majoy-NHPD; Matt March-VVPD; Chief Tom Koscielski (chiefk@valleyview.net); Michael Suhy; joe stefanko; Kpapes@valleyview.net  
**Cc:** Jack Bacci; Barbara Cash; Benjamin G. Chojnacki; Law Director Mason ; Mike Procuk; Ricardo Leon; Deborah Reiger  
**Subject:** Local Government Safety Capital Grant

To All:

Our collaborative efforts have paid off!

We were awarded \$230,648 by the Local Government Safety Capital Grant. As you recall, these funds are to purchase the 800mhz "mobile" radios for our respective vehicles.

I will be in contact in the near future as more information becomes available regarding the distribution and administrative requirements.

**Please see attached news release.**

Respectfully;

*Chief Brian Sturgill*

Cuyahoga Heights Police

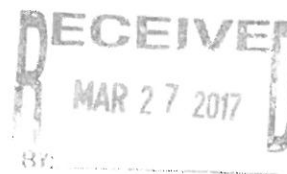
5480 Grant Ave

Cuyahoga Heights, OH 44125

Office (216) 883-6800

Fax (216) 883-4832

[b.sturgill@cuyahogaheights.com](mailto:b.sturgill@cuyahogaheights.com)



2017

Dear Elected Official,

I am writing on behalf of Cleveland Clinic to share an event that's coming soon to a community near you!

We appreciate your assistance and on-going community partnership. We hope you can help us by talking about the event and sharing details on social media and other community resources. Please see the enclosed flyer. Space is limited.

Local churches, the community and senior center(s), and numerous area businesses will receive flyers shortly.

Want an event flyer to share? Please contact me directly if you need a supply of handouts or you can view the registration page for more details: <http://clevelandclinic.org/wowCrockerPark>

Interested in learning about local news? Follow us on Facebook -- <https://www.facebook.com/ClevelandClinicInYourCommunity/>

Thank you for your assistance.

Karla Lindsey  
Department Manager  
Cleveland Clinic Marketing Account Services  
Office 440.312.7406 • [klindsey@ccf.org](mailto:klindsey@ccf.org)

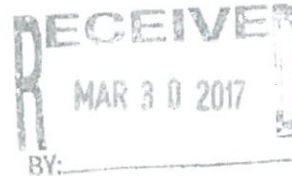


Redefining Health

GrafTech International Holdings Inc.  
Suite 300 Park Center I  
6100 Oak Tree Boulevard  
Independence, Ohio USA 44131  
Tel: 1.216.676.2208 • Fax: 1.216.676.2143

March 29, 2017

3/31/17  
cc canal  
FYI



The Honorable Mike Procuk  
Mayor of Brooklyn Heights  
345 Tuxedo Avenue  
Brooklyn Heights, OH 44131

Subject: 2016 Local Tax Credit

Dear Mayor Procuk:

Per the Job Creation Incentive Grant Agreement between The Village of Brooklyn Heights and GrafTech International Holdings Inc., attached please find the 2016 Regional Income Tax Agency Form 17 for both GrafTech International Holdings Inc. and Advanced Energy Technologies LLC. Combined Brooklyn Heights Workplace Wages of \$4,979,895.86 was reported for 2016 and corresponding Workplace Tax of \$99,607.12. As we fulfilled the grant's annual minimum payroll obligation of four million dollars for 2016, it is our understanding that we will receive a check equivalent to 40% of the 2016 Workplace Tax on or before July 1, 2017.

Please mail the check to my attention at our Corporate Headquarters. Please let me know if you should have any questions regarding this information.

Best regards,

Lois Arcuri  
Global Benefits Acctg. & Payroll Manager

Enclosure  
Cc: Brian Blowes