

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD November 6, 2013 20

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on November 6, 2013 at 7:30 P.M. with Mayor Michael Procuk presiding. The day is changed due to yesterday being Election Day.

The Pledge of Allegiance was recited at this time.

Present at roll call:	Councilmen:	Black, Cichocki, Lahiff, Presot, Selig, Walsh, Foote (late)
	Mayor:	Procuk
	Clerk/Treasurer:	Clymer
	Law Director:	Dowling
	Engineer:	
	Police Chief:	Ptl Derbin
	Fire Chief:	Lasky
	Service Director:	Hatgas
	Bldg. Commissioner:	Socoloff
	Comm. Service Dir:	Guilfoyle
	Recreation Dir:	Presot
	Economic Develop Dir:	Perry

Councilman Foote will be late this evening and Engineer Mike Henry came for the meeting on Tuesday and could not be here tonight.

Mayor Procuk announced the outcome of yesterday's election. Councilman Walsh and Councilman Black retained their seats and Councilwoman Presot lost her seat. We had about a 50% turnout.

Councilman Black thanked the Village of Brooklyn Heights for re-electing him to a fourth term. Councilwoman Presot said she is sorry to go but will run again in two years. Councilman Walsh thanked the village residents for their support.

Mayor Procuk said it will be interesting in January as we follow the charter and go from seven members to five.

AUDIENCE

Bob Bauer inquired about his request to place a mirror at the top of the exit ramp westbound from Granger Road to Schaaf Road. He said that it is difficult to see the traffic coming up from Independence into Brooklyn Hts.

Mr. Cichocki said that the question came up about a month ago and our engineer is looking into it.

Mr. Hatgas said that Mr. Henry is not in favor of it due to the liability to the village.

Mrs. Presot asked Mr. Dowling about the liability and he said he would like to see the place being talked about and then confer with our insurance company as to the liability.

Bruce DeMarco of Dorset Dr. said that we have a deer problem in the village and he would like to have a survey of residents done to ascertain if others feel we have the problem and what we might be able to do about it.

Mr. Cichocki asked what solution he is asking for and Mr. DeMarco said he doesn't have a solution but is asking for consideration of the problem.

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Mr. DeMarco said there is also a problem of semi-trucks coming off Rockside, down Mural and into Brooklyn Heights. He feels their GPS show that route to be the shortest route. Mr. Cichocki asked where the trucks are headed and Patrolman Derbin said usually to our businesses on Keynote or Resource.

Mayor Procuk said there is no easy answer to this problem because we can't put up a sign in Seven Hills that says no thru trucks in Brooklyn Heights.

Mr. Perry said maybe Seven Hills could put up a sign.

MOTION: Mrs. Presot moved to approve the minutes of the special meetings of April 16, 2013, June 24, 2013, July 30, 2013 and the regular meeting of October 1, 2013. Second by Mr. Lahiff Motion passed 6-0

FIRE CHIEF

Chief Lasky thanked council, Men's Service Club, Women's Service Club and all departments for their support of the 1st 5K run.

The department is undergoing training on the new extrication tools that were purchased through a grant.

There will be an ordinance tonight authorizing the purchase of twenty safety jackets for the department at from Stonewall Uniforms at a cost of \$6,825.

The department had their annual clothing / uniform inspection and there is money in the budget for replacement clothes. (\$225 per man)

MOTION: Mr. Lahiff moved to purchase fire department uniform clothing from Shuttler's Uniforms at a cost of \$3,650. Second by Mr. Black Motion passed 6-0

MOTION: Mr. Lahiff moved to purchase fire department uniform clothing from Final Score at a cost of \$1,900. Second by Mr. Black Motion passed 6-0

Chief Lasky let council know that the old cars that were on E-Bay sold for \$1900 and \$1300.

CORRESPONDENCE

Mayor Procuk read a thank you note from ARP Heating and Air Conditioning thanking council for the business of replacing the hot water tank in the Municipal Center.

Norma Janiak wrote that she was pleased with the Lawn Cutting Program and also wanted to thank Jane Hlatky for all her input and hard work.

He read a thank you from the Hochman family for the floral arrangement for the recent loss of Tom's dad.

There was a thank you from Irene Robinson from Josiah's House thanking council for waiving the fee for their fundraiser at the Community Center.

Denise Hochman Kirsch wrote to congratulate Tim Clymer, the Park Board and the entire 5K team on their success and is looking forward to next year's race.

The Chamber of Commerce will have their State of the Communities dinner. Please RSVP. They are giving each community the opportunity to set up a display to highlight their community. Mayor Procuk asked for ideas and Mrs. Guilfoyle suggested a laptop with scrolling pictures of the village. She offered to help with it.

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Mr. Pfenninger wrote concerning the trash receptacles left on the tree lawns overnight into the weekend. He asked about an ordinance and Mayor Procuk responded that the ordinance governing this is Ord. 10-60. He stated that the police are aware of the problem.

Anne Graham wrote asking if anything has been done concerning her requests for the BHV Social Club. This will be put in committee for further discussion.

Mayor Procuk read a letter dated September 4, 2013 from the FOP attorney Robert Phillips regarding the police negotiations and a responding letter from the village attorney dated October 14, 2013. As of this date there has been nothing further.

POLICE DEPT

Ptl. Derbin attended in place of Chief Algeri. He stated that Part-time Ptl. Monica Schuld's vest was purchased by Seven Hills for \$585.23. The original cost to Brooklyn Hts. was \$675.

Ptl. Derbin said that the two retired police cars sold for \$1725 and \$1231 respectively.

MOTION: Mrs. Presot moved to pay the Watchguard invoice of \$1,050 for the warranty on the mobile video units. Second by Mr. Black Motion passed 6-0

MOTION: Mr. Black moved to pay A & S Animal Control \$1,140 for September. Second by Mrs. Presot Motion passed 6-0

We had an extreme situation in September and \$650 of this invoice was for housing the dog and cats abandoned in a residential home when the resident went into the hospital for an extended period of time.

Chief Algeri and Mayor Procuk attended the Elks meeting and were awarded the Elks Community Service Grant in the amount of \$750. Chief Algeri purchased waterproof cameras for each officer for \$823 and the grant is a reimbursement of that expenditure.

We have renewed our relationship with the Safe Kids Program. The Safe Kids Mocktail Party will be on Nov. 21st from 5:30 to 8:30 pm at the Marriott East.

Ptl. Derbin reported that the School Safety Plan is progressing and on Dec. 4th and Dec 11th the police departments will have active shooting training at the school.

Ptl Derbin read a note from the Cuyahoga Heights Police Chief thanking our department for their assistance during a situation in their village.

SERVICE DEPARTMENT

Mr. Hatgas said that the two new hires are working out well. He thanked council for giving him the extra men.

MOTION: Mr. Black moved to pay Ferguson Water Works \$3,827.42 for piping for the retention basin in the park. This will be reimbursed by the grant. Second by Mr. Foote Motion passed 6-0

The county reimbursed the village \$7,500 for catch basin work done in the spring by a contractor. The county is currently repairing five catch basins throughout the village.

Mr. Hatgas explained the increase in cost for On-Call Waterproofing for the work done in the park. There will be an ordinance presented tonight regarding this. The increase is for hauling the material off-site and the piping to tie into the new gutters on the bathrooms in the park. This will be reimbursed by the grant.

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Mr. Hatgas said that he was able to get Color Kinetics to reduce the cost of the light system for the Municipal Center by about \$2,900. The cost is \$4,600 for installation and \$6,273 for the equipment. The building will be lit similar to the Terminal Tower lighting. Leff Electric has agreed to give us ninety days to pay which would be half in 2013 and half in 2014.

Mr. Cichocki asked if there would be any additional costs in the future, for example an increase in the cost of electricity and Mr. Hatgas said no because these are LED lights and it will pay for itself in 13.3 years. Mr. Cichocki asked where the money would come from and Mr. Clymer stated because the life of the system is longer than three years the money could come from Capital Improvements.

It was agreed that Mr. Hatgas could move forward with this project and there will be a special council meeting on November 12th at 5:30 to pass a confirming ordinance and a Parks, Playground and Community Service committee meeting was set immediately following the Special Council Meeting to discuss the new BHV Social Club.

ENGINEER

Mr. Hatgas said that Resource Drive should be completed this Saturday, Nov. 9th.

Once we pay the Nerone invoice we will seek the \$40,000 grant money from the county.

ECONOMIC DEVELOPEMENT

Mr. Perry asked if the new system could advertise the businesses and it was explained to him that this is not a sign but lights on the building.

He said that Geis will not have anything going on with their property until next spring.

Omni / Honeywell Building – the prospective tenant decided that they do not want a 10-year lease but would rather purchase a building.

Mr. Foote asked if we could have done anything differently and Mr. Perry said "no", this was the lenders.

Schaaf Road Property – due to the government shutdown the remainder of the grant will take longer to get.

Safeguard building at 605 W. Resource: Mr. Klein said that Safeguard is maxed out in Valley View so hopefully they will transfer some of the employees to this building.

Blue Jay Communications will not be purchasing the WACO building due to numerous environmental issues.

Mr. Perry attended a county meeting in Independence on October 9th where they extoled their services to all cities and villages. We did take advantage of their website services.

COMMUNITY SERVICES

Mrs. Guilfoyle stated that the Food Drive held in October went well. She thanked everyone for their donations.

The Senior Leaf Raking will be this Saturday. Please meet at pavilion #2 at 9:30 am. They have 32 yards and only 60 volunteers. Mr. Selig said he will bring a crew. We've lost the Boy Scouts and we only have six Girl Scouts.

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Mayor Procuik suggested asking the Blue Wave Swim Team and Gwen Adams Scouts since council makes donations to them.

Mrs. Guilfoyle informed Council of the following events:

- Nov. 18th, the Hope Tree will be set up in the Municipal Center
- Nov. 19th, Seven Hills VFW presentation for Veterans Day
- Dec. 3rd, Mayor Mike will speak at the Senior meeting
- Dec. 4th, Remembrance Celebration
- Dec. 17th, Senior meeting with lunch and Cuyahoga Hts. Scarlet Angels & Jazz group

RECREATION DIRECTOR

Mr. Presot said that the soccer season has ended and the Girls U-10 team was champions.

The Basketball sign-ups are complete and there are 46 kids playing on 6 teams. A slight increase from 2012.

MOTION: Mr. Black moved to pay Valley View \$1,650 to cover the 33 children who participated in Cheerleading and Football. Second: Mr. Selig Motion passed 6-0

Mr. Selig asked if we still pay for the clinics and Mr. Presot said yes.

BUILDING DEPARTMENT

Mr. Socoloff said that the house under construction on Marko Lane is now under roof.

He is receiving calls on the requirements on the vacant lots and complaint calls have slowed considerably.

Rental inspections are now into the re-inspections.

He has heard nothing from Calvary Chapel and he will check the ordinance to see if the approval time limit has expired.

Mr. Socoloff has been working with the Fire Department regarding our business Certificate of Occupancies.

There are numerous remodels going on in the Lancaster area IE: interior additions, bathroom remodels to make handicap accessible, etc.

LAW DIRECTOR

Mr. Dowling has no official report, but would like to go into Executive Session to discuss labor negotiations and possible litigation.

CLERK/TREASURER

General Fund through October 2013 is \$1,902,203.60 up \$69,162 over last year.

MOTION: Mr. Foote moved to pay an additional \$1,600 for the Amser Property appraisal. Second by Mr. Cichocki Motion passed 7-0

Mr. Clymer stated that all of our small vehicles passed the E-check. No E-check is needed on the large trucks, ambulances or fire trucks.

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Mr. Clymer will be in Dublin OH on Thursday and Friday for the Ohio Municipal League Financial Officers seminar.

MAYOR'S REPORT

MOTION: Mr. Lahiff moved to pay \$510 dues to the Ohio Municipal League. Second by Mrs. Presot Motion passed 7-0

Mayor Procuk told council about Chuck and Jean Harle and their involvement in the Adult Day Care at Parma Hospital.

Mayor Procuk asked what needs to be done to be in compliance with the Affordable Care Act and Mr. Clymer stated that all part-time employees must work less than 30 hours a week or be offered health insurance.

Mrs. Presot is working on the Arbor Day application and she will have Kari submit it.

Mayor Procuk asked Mr. Hatgas about recycling old Christmas lights. Mr. Hatgas said that the Cuyahoga County Solid Waste District will recycle them beginning Dec. 2nd. We will make sure the info is in the Breeze.

Resident Ron Murphy has not followed through on his appointment on the ARB so Mayor Procuk is appointing Jennifer Presot as the resident member to the board. Her term will begin Jan. 1, 2014.

ORDINANCES & RESOLUTIONS

ORDINANCE 92-2013 - AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO DONATE TO THE BLUE WAVE SWIM TEAM

Sponsor: Mr. Selig Second: Mr. Black

Yeas: Selig, Black, Cichocki, Foote, Lahiff, Presot, Walsh

Nays: none

Ordinance 92-2013 passes 7-0

ORDINANCE 93-2013 - AN EMERGENCY ORDINANCE AMENDING APPROPRIATIONS FOR THE FISCAL YEAR 2013.

Sponsor : Mr. Walsh Second: Mrs. Presot

Yeas: Walsh, Presot, Cichocki, Lahiff, Selig, Foote, Black

Nays: None

Ordinance 93-2013 passes 7-0

ORDINANCE 94-2013 - AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A CONTRACT WITH AMERICAN LEGAL PUBLISHING TO PROVIDE AND UPDATE THE CODIFIED ORDINANCES OF THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: Mrs. Presot Second: Mr. Lahiff

Yeas: Presot, Lahiff, Cichocki, Black, Walsh, Selig, Foote

Nays: None

Ordinance 94-2013 passes 7-0

ORDINANCE 95-2013 - AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO DONATE TO OLYMPIAN KELLI STACK'S FUNDRAISING CAMPAIGN

Sponsor: All of Council Second: Mr. Black

Yeas: Black, Presot, Selig, Walsh, Lahiff, Foote, Cichocki

Nays: None

Ordinance 95-2013 passes 7-0

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ORDINANCE 96-2013- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK TREASURER TO PURCHASE SQUAD JACKETS FROM STONEWALL UNIFORM FOR USE BY THE VILLAGE OF BROOKLYN HEIGHTS FIRE DEPARTMENT

Sponsor: Mr. Selig Second: Mr. Cichocki

Yeas: Selig, Cichocki, Foote, Presot, Walsh, Lahiff, Black

Nays: None

Ordinance 96-2013 passes 7-0

ORDINANCE 97-2013 - AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO SIGN AN AMICI CURIAE BRIEF IN SUPPORT OF JURISDICTION IN THE OHIO SUPREME COURT TO CONSIDER THE CASE OF NORTHEAST OHIO REGIONAL SEWER DISTRICT V. BATH TOWNSHIP

Sponsor: Mr. Cichocki Second: Mr. Walsh

Clarification: To urge NEORS to present to the Ohio Supreme Court

Yeas: Cichocki, Walsh, Presot, Lahiff, Black, Foote, Selig

Nays: none

Ordinance 97-2013 passes 7-0

ORDINANCE 98-2013- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK-TREASURER TO ENTER INTO A CONTRACT WITH GBJ LANDSCAPING AND SNOW REMOVAL FOR SNOW REMOVAL SERVICES FOR THE WINTER SEASON OF 2013-2014 (NOVEMBER 1, 2013 THROUGH APRIL 30, 2014)

Sponsor: Mr. Lahiff Second: Mr. Foote

Yeas: Lahiff, Foote, Selig, Walsh, Black, Cichocki, Presot

Nays: none

Ordinance 98-2013 passes 7-0

ORDINANCE 99-2013- AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE COUNCIL TO APPROVE THE INCREASE OF MONIES DUE TO ON-CALL WATERPROOFING FOR THE EXCAVATION AND EMBANKMENT AND CONNECTION OF THE 4" DOWNSPOUTS RELATED TO THE IMPROVEMENTS TO THE BROOKLYN HEIGHT PARK

Sponsor: Mrs. Presot Second: Mr. Selig

Yeas: Presot, Selig, Lahiff, Cichocki, Foote, Black, Walsh

Nays: None

Ordinance 99-2013 passes 7-0

ORDINANCE 100-2013- November Pay Ordinance

Sponsor: Mr. Walsh Second: Mr. Foote

Yeas: Walsh, Foote, Cichocki, Black, Lahiff, Presot, Selig

Nays: None

Ordinance 100-2013 passes 7-0

RESOLUTION 20-2013- AN EMERGENCY RESOLUTION SUPPORTING WEST CREEK CONSERVANCY'S CLEAN OHIO GREENSPACE GRANT APPLICATION FOR THE CONSERVATION OF ECOLOGICALLY SIGNIFICANT AREAS ADJACENT TO THE CUYAHOGA RIVER AND WEST CREEK, BY THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: All of Council Second: Mrs. Presot

Yeas: Presot, Cichocki, Black, Foote, Walsh, Selig, Lahiff

Nays: None

Resolution 20-2013 is adopted 7-0

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Motion: Mr. Lahiff moves to go into Executive Session to discuss labor negotiations and other possible litigation. Second by Mr. Walsh Motion passes 7-0

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

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer