

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD February 7, 2023 20       

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on February 7, 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, Presot, Tommer, Walsh
	Mayor	Procuk
	Clerk/Treasurer	Frank
	Law Director	Dowling
	Assistant Law Director	
	Engineer	Zoldak
	Police Chief	Meade
	Fire Chief	
	Asst. Fire Chief	
	Service Director	Blados
	Bldg. Commissioner	
	Asst. Bldg. Comm.	Sonenstein
	Comm. Service Director	Guilfoyle
	Recreation Director	Krzynowek
	Soccer Commissioner	Shadd
	GUESTS:	Ed Stepka

Mayor Procuk introduced Anthony Coyne, legal counsel from Mansour Gavin LPA. Mr. Coyne reported the importance of the legislation, Ordinance 11-2023, explaining that this was an unusual resolution of this nature, probably the first time that the County Board of Health actually slowed down the landfill going in ever. It could result in eliminating a landfill that could have gone in.

**MOTION:** Presot moved to excuse Mr. Walsh who didn't feel well and went home. Seconded by Berzins. Motion carried 4-0.

**MOTION:** Berzins moved to approve the minutes from the January 17, 2023 Council meeting. Seconded by Presot. Motion carried 4-0.

### **CORRESPONDENCE / MAYOR PROCUK**

- A thank you note was received from the children of Elsa Mahnic wife of Henry Mahnic who handles our Worker's Comp. He is not an employee, he is a vendor, and works closely with our employees so we felt it appropriate to send flowers to the wake.
- Mary Cierebiej, Executive Director of the Cuyahoga County Planning Commission thanking the Mayor for his participation in the County Healthy Urban Tree Canopy Grant Program for 2022 and notification of close out for the grant.
- A letter was received from Chuck Piper, Executive Director of NOPEC, congratulating Brooklyn Heights on being awarded a NOPEC Energized Community NEC Grant in the amount of \$5,318 for 2023.

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- Halle Martin, Community Outreach Coordinator, sent a letter regarding help for any resident having difficulty with their property tax bills.
- State Rep. of Ohio District 15, Richard Del'Aquila, former mayor of Seven Hills, sent his newsletter and stated that he is ready and available to attend a Council meeting to share our wishes with Columbus.
- A letter was received from Arushi Schinde, a Cuyahoga Heights High School student and Village resident, stating that she is a 2023 Student of the Year Candidate and will be taking part in the Leukemia and Lymphoma Society LLS Student Visionaries of the Year Campaign as a student from Cuyahoga Heights High School. Their mission is to raise \$10,000 for research, access and advocacy.

### POLICE DEPARTMENT / CHIEF MEADE

**MOTION:** Lasky moved to pay Hall Public Safety in the amount of \$1,108.15 to replace a damaged push bumper on a 2020 Chevy Tahoe. Seconded by Tommer. Motion carried 4-0.

**MOTION:** Presot moved to purchase eight stop sticks from Stop Stick Ltd. for \$3,980. Seconded by Berzins. Motion carried 4-0.

**MOTION:** Presot moved to pay Oho Crime Prevention \$1,047 for the chief and two sergeants to attend the conference and for lodging in April. Seconded by Tommer. Motion carried 4-0.

- The body cameras will be up and running this weekend. Sergeant Jablonski and John Triner worked together and the cameras will be installed and assigned IP addresses to be downloaded. Most, if not all of this, was funded by the State of Ohio. We have the Lexipol policy putting us under the Ohio Collaborative so it is an accredited policy stating that officers have to activate them anytime they have contact with citizens.
- The department has been very busy with two felony drug arrests and a dozen pursuits over the last month. There are 55 people scheduled for court next week and all are mandatory court appearances.
- He and Nancy Zolgharnain have been working together and are now accepting credit cards for bonds. This helps us clear up a lot of the current bonds. Nancy is doing a great job on this project.
- Councilman Tommer put him in touch with a company in California who donated, and is shipping, 65 steering wheel locks for Hyundai and Kia vehicles. Residents can come in and get one for free.

### SERVICE DEPARTMENT / JOE BLADOS

**MOTION:** Presot moved to pay Home Depot for building supplies in the amount of \$1,247.87. Seconded by Berzins. Motion carried 4-0.

**MOTION:** Berzins moved to pay Signal Service \$1,059.84 to repair lights on Granger and Tuxedo. Seconded by Lasky. Motion carried 4-0.

- He reported that he received a quote from Signal Service in the amount of \$7,593 to repair a light pole that was hit by a motorist. The quote was given to our Law Director and our Police Detective.

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- The wash bay sewer project is finished. They are also working on the automotive lift to get it operational again. For both jobs, equipment was rented and the work done by the Service Department staff.
- The salt bins were just filled and all vehicles are washed and ready for the next weather event.
- Requested a Streets Meeting to discuss mailbox repair and/or replacement. It was scheduled for April 18<sup>th</sup> at 7:00 pm.

### **RECREATION DEPARTMENT / DALE KRZYNOWEK**

- The basketball season is coming to an end and all should have their last games on or before February 18<sup>th</sup>.
- Playoffs were eliminated allowing everyone to plan an additional three games. Whoever wins the regular season is the league champion.

### **SOCCER / NARLIN SHADD**

- Soccer registration has started and the deadline is February 23, with late registration until February 27<sup>th</sup> with a \$25 fee. Mr. Lasky inquired about the need for a late fee and Mr. Shadd shared that it motivates families to sign up earlier so we can get the teams set up. The basketball registration is set up the same.

### **COMMUNITY SERVICES DEPARTMENT / THEA GUILFOYLE**

- Administration and employee portraits have been scheduled with the county for February 28<sup>th</sup> and March 10<sup>th</sup>, both from 10:00 am to 4:00 pm.
- Requested a meeting to discuss the Senior Lawn Cutting Program. It was scheduled for February 21<sup>st</sup> at 7:15 pm.
- Senior snow removal is going very well.

### **ENGINEER / JENNIFER ZOLDAK**

- The Spring Road sewer repairs are officially done as of today with the underground work. They still have to do above ground restoration. This Thursday, February will begin the advertising for bids for the pavement reconstructions and the bids will be opened on February 24<sup>th</sup>. They're hoping construction can start in April or May and should take approximately three months.
- Based on the committee meeting, bids for the Dorset project should open on March 3<sup>rd</sup>.
- The bids from ODOT came in for the Brookpark Road project and now it's a coordination effort with the other municipalities to collect their share of the funding. August 1<sup>st</sup> is a possible construction start date but it may get pushed back due to bids coming in higher than expected.
- She spoke with Taylor Communications and Spectrum regarding the fiber installation at Valley Belt. The installation is still in progress and they may revise their plans and move the line to the north side of the street.
- Answering a resident concern about tree clearing through Councilman Berzins, she spoke with ODOT and they were working on ODOT property preparing for their Granger Road project.
- She spoke with Brent Kovacs from ODOT regarding light shields for Little Creek Parkway. Their response is that more residential concern would be necessary for any further response. Councilman Walsh will be following up with ODOT directly.

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**HELD** \_\_\_\_\_ **February 7, 2023** \_\_\_\_\_ **20** \_\_\_\_\_

### **BUILDING DEPARTMENT / HOWARD SONENSTEIN**

- We gave PMI a temporary occupancy permit for their office section. The back section is not ready.
- 4920 Van Epps has been cleaned up. Millie's Bakery (a pastry distributor) is going in there.
- The two homes on Park Drive are both waiting on escrow amounts from the owners for the seller to see how much repairs are needed.
- He is working with Nancy Zolgharnain on the Cloud Permit software and it's going along very smoothly. They are waiting on Cloud Permit to solve an issue with contractor's online registration. The scanning portion is complete. John Triner is working on having the system available to both Nancy and the Building Department office.
- The property at 4663 Van Epps is moving along and both the interior and exterior is cleaned out.
- He worked with the Law Director regarding Airbnb concerns and they are waiting for answers from the State.
- He has spoken with the headmaster regarding the VFW hall and it's supposed to transfer to a police association. He continues to follow up on this.
- Requested a Finance Meeting for March 7<sup>th</sup> and will speak with Councilman Walsh.

### **LAW DEPARTMENT / JERRY DOWLING**

- As previously reported, he is waiting for information from the State regarding any type of Airbnb activity. Mayor Prochuk stated that he saw advertising for people to rent their back yards for use as a dog park. The Law Director and Assistant Law Director are working on making sure we're insulated from that type of activity.

### **CLERK-TREASURER / AARON FRANK**

- The month of January was closed and we started the year with a \$100,000 surplus in the General Fund.
- The Capital Fund brought in \$438,000, most of that is our transfer from the General Fund. A couple cities paid their portion of the Brookpark Road project and we paid out the \$1.2 Million for the project (representing all involved communities). We also transferred \$110,728 as our monthly transfer into the Capital Fund.
- The first RITA drop in February was \$473,000 and we're trending ahead with these deposits.
- Nancy Zolgharnain and I worked to mainstream the court funds and eliminated an unnecessary account and can now transfer funds from the Mayor's Court directly into the General Fund.
- The audit is being wrapped up and they're coming to the February 21<sup>st</sup> meeting to review the audit. Some of their recommendations have already been put into place. This will be an informal exit interview for us to ask questions.
- A call was received from the Seven Hills Finance Department regarding a tax bill, in the amount of \$112, on a parcel owned by Seven Hills but located in Brooklyn Heights. The parcel is tax exempt and they are asking us to waive the sewer maintenance assessment fee.

**MOTION:** Berzins moved to waive the \$112 sewer maintenance fee for the Seven Hills parcel. Seconded by Lasky. Motion carried 4-0.

**MOTION:** Presot moved to pay \$2,945.18 to Mansour Gavin for legal fees. Seconded by Tommer. Motion carried 4-0.

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- There were three tax bills last year that we got tax exempt at a cost of approximately \$15,000 just to file for the exemptions. He just received bills showing delinquencies on the properties. He emailed the county and after much back and forth the county said these must be paid however, he believes that when the next bills come out in June, this will be cleared up.
- On the revenue side of tax bills, this is the time of year when we receive property tax income. The form was received and it showed it was \$538 short. He will follow up on this.

### **MAYOR'S REPORT / MAYOR PROCUK**

- A reminder that the State of Ohio allows remote workers to file for their income taxes to be treated where they are residing or working from. The RITA deposit would have been \$586,000 but was reduced by \$112,000 due to a worker requesting this option. This may come before our Income Tax Board of Review.
- If our plan for this year was the same as last year, we were expecting \$364,000 but received \$473,978. In 2022 last year there was the unexpected drop of \$614,000. Year to date we are about \$407,000 ahead of plan for three deposits comparing to last year. We are only \$73,000 less year to date with income tax refund. Comparing January last year to January 2023, our expenses over revenue, we were able to put \$109,000 in to our General Fund surplus.
- We received a bill from Sedgwick Managed Care in the amount of \$659 from when a Service Department employee was injured. As done in the past I am asking that we pay this bill instead of running it through Worker's Comp.

**MOTION:** Berzins moved to pay Sedgwick Managed Care \$659 for treatment for an injury during work hours by a member of the Service Department. Seconded by Presot. Motion carried 4-0.

### **MAYOR'S COURT REPORT / MAYOR PROCUK**

Income for January	6,260.00
Victims of Violent Crimes	189.00
Drug Law Enforcement Fund	73.50
State Bond Surcharge	0.00
Seatbelt Violation	30.00
Child Restraint	0.00
State of Ohio	848.50
Indigent Defense Support	556.00
Indigent Driver Alcohol Treatment Fund	31.50
Bond Forfeitures	0.00
Regional Enterprise Data Sharing System	95.00
Brooklyn Heights	5,285.00

### **FINANCE COMMITTEE / AARON FRANK FOR MATT WALSH**

- The committee met and discussed the budget process and reviewed the individual department summaries after meeting with each department director.

### **STREETS COMMITTEE / AARON FRANK FOR MATT WALSH**

- The Streets Committee meeting reviewed the Capital Budget planning projects.

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### ORDINANCES & RESOLUTIONS

**ORDINANCE 11-2023** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH KURTZ BROS. INC. IN WHICH KURTZ BROS., INC. WILL FOREGO THE OPERATION OF A NEW LANDFILL IN THE VILLAGE OF BROOKLYN HEIGHTS BY DONATING THE PROPERTY TO AN ENTITY AFFILIATED WITH THE WEST CREEK CONSERVANCY

Sponsor: Presot

Second: Berzins

*First Reading*

**ORDINANCE 12-2023** AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK TREASURER TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2023 ENERGIZED COMMUNITY GRANT FUNDS

Sponsor: Lasky

Second: Berzins

Yeas: 4 / Nays: 0

Ordinance 12-2023 is adopted 4-0

**ORDINANCE 13-2023** AN EMERGENCY ORDINANCE ESTABLISHING FUND 207 AS THE NATIONAL OPIOID SETTLEMENT FUND

Sponsor: Berzins

Second: Presot

Yeas: 4 / Nays: 0

Ordinance 13-2023 is adopted 4-0

**ORDINANCE 14-2023** JANUARY PAY ORDINANCE

Sponsor: Lasky

Second: Tommer

Yeas: 4 / Nays: 0

Ordinance 14-2023 is adopted 4-0

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

Yeas: All

Meeting adjourned.



Mayor



Clerk/Treasurer