

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ September 4, 2012 _____ 20 _____

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on September 4, 2012 at 7:30pm with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:	Councilmen:	Black, Cichocki, Foote, Lahiff, Presot, Selig, Walsh
	Mayor:	Procuk
	Clerk/Treasurer:	Clymer
	Law Director:	Dowling
	Engineer:	Henry
	Police Chief:	Algeri
	Fire Chief:	Lasky
	Service Director:	Hatgas
	Bldg. Commissioner:	Socoloff
	Comm. Service Dir:	Guilfoyle
	Recreation Dir:	Presot

MOTION: Mrs. Presot moved to approve the minutes of Regular meeting June 5, 2012, Special meeting July 31, 2012, Regular meeting August 7, 2012 and Special meeting August 14, 2012. Second by Mr. Foote. Motion passed 7-0

Mayor Procuk said they would be taking things out of order tonight. They will swear in two new police officers and promote three firemen and then go down to the fire department for some refreshments before continuing the regular council session. He asked if anyone in the audience was there to specifically address council so they would take care of that business first.

By a flip of a coin it was determined to swear in the police officers first.

ORDINANCE 60-2012 – AN EMERGENCY ORDINANCE AUTHORIZING HIRING OF TWO POLICEMEN. CHRISTOPHER S. LEAHY AND DAVID J. JABLONSKI

Sponsor: Mr. Cichocki Second: Mr. Black

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

Nays: None

Ordinance 60-2012 passed 7-0

Chief Algeri welcomed both Chris and Dave to the department and wished them a long, healthy, happy career with Brooklyn Heights. He also thanked the administration for the opportunity to hire these men.

Both Chris and Dave thanked the administration and expressed their excitement to be a part of the Brooklyn Heights team.

Mayor Procuk administered the oath of office to FF Brett Stanislaw, FF Bryon Borowy and FF Kevin Messich who were promoted to Fire Lieutenant.

Fire Chief Lasky thanked Mayor Procuk and council for the opportunity to promote within the department.

Brett, Bryon and Kevin all thanked the administration for the opportunity to serve as lieutenants on the department.

MOTION: Mr. Selig moved to suspend the council meeting to have cake. Second by Mr. Walsh Motion passed 7-0

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BACK IN SESSION

ORDINANCE 58 -2012 -AN EMERGENCY ORDINANCE APPROVING THE DECISION OF THE ZONING BOARD OF APPEALS APPROVING THE APPLICATION OF CALVARY CHAPEL OF CLEVELAND TO CHANGE THE USE OF THE BUILDING LOCATED AT 709 BROOKPARK ROAD

Sponsor: Mr. Black Second: Mr. Foote

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

Nays: none

Ordinance 58-2012 passes 7-0

Mr. Cichocki asked how many services/uses there would be and was told that there are about 300 members who would attend church on Sunday mornings. They hold two services on Sunday morning, one service on Sunday evening and one service Wednesday night. There are various activities during the week but with much fewer participants.

They are hoping to buy the building and the current owner has agreed to help with any permits they need.

POLICE CHIEF

Chief Algeri asked for a motion to pay the LEEDS computer program fees invoice of \$1,200 which covers one year.

MOTION: Mr. Cichocki moved to pay the LEEDS invoice in the amount of \$1,200. Second by Mrs. Presot

Motion passed 7-0

Chief Algeri asked for a motion to pay Firehawk \$2,673.95 to replace the transmission in one of the cruisers. The mileage on the cruiser is 107,426.

MOTION: Mr. Black moved to pay Firehawk invoice of \$2,673.95 for a transmission. Second by Mr. Foote Motion passed 7-0

Chief Algeri told council that we received a RADAR unit worth \$2,400 for our efforts in the 'click it or ticket' program.

Ptl. Ewelt will be a guest presenter at the OPIATE Conference.

Chief Algeri told council about an incident on Shady Ridge. A man was being pursued by Valley View police and crashed his vehicle on Warner Road. It turned out to be a stolen vehicle from a garage on Shady Ridge Lane. The man was on a bicycle riding through the development and took articles from several vehicles and stole the Cadillac from the Daley garage.

FIRE CHIEF

Chief Lasky thanked council for the opportunity to promote and for their confidence in the department.

Chief Lasky told council that Asst. Chief Stefanko applied for and received a \$3,000 EMS grant to purchase equipment for the ambulances.

RECREATION DIRECTOR

Mr. Presot reported that fall soccer will begin on Sept. 8th and he handed out the baseball sponsor plaques.

MOTION: Mr. Selig moved to pay the Adler Sports invoice for baseball, softball & T-ball uniforms in the amount of \$2,844.40. Second by Mr. Foote Motion passed 7-0

COMMUNITY SERVICE DIRECTOR

Mrs. Guilfoyle said we received 24 pints of blood through the Blood Drive held on Aug. 31st.

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She said she is excited to be working on the website and the food pantry is servicing about eighteen families which equates to forty individuals.

Mr. Cichocki feels that council needs to appropriate the money to make the website appeal to those under fifty. He says we should use the technology of 'twitter, Facebook' and any other social networking available. We should also update our directory with email addresses and cell phone numbers. He said that anyone over eighteen and fewer than forty doesn't use landlines any longer. He urged the mayor to create an ad hoc committee made up of citizens to get this done.

Mr. Lahiff said that Cuyahoga Hts. spent \$15,000 to set up their website to have links to available housing and other things that are important.

Mr. Black volunteered to chair an ad hoc committee.

Mr. Walsh said he does not agree with Mr. Cichocki. He said if they are going to spend money he would like to see a social worker back in the village to help those residents who need that type of help. He agrees that the directory needs to be updated and we need to be able to contact people but we need to spend money on helping the neediest of the needy. He wants to put \$5 to \$7 thousand dollars into the budget for 2013 to have a social worker on retainer.

SERVICE DIRECTOR

Mr. Hatgas reported that the county grant work has been completed and we met all the deadlines. We are awaiting reimbursement for the invoices.

We received the \$4,000 check for the recycling containers through the Cuyahoga County Solid Waste District grant.

The asphalt damage that was done to the street at 54 E. Schaaf road has been repaired and the invoice will be submitted to the trucking company insurance. Mr. Hatgas explained that this was a delivery of a 50 ton piece of machinery to Rosby Resource.

Mr. Hatgas would like a committee meeting called to discuss the gas pumps at the Service Garage. Mr. Black called a meeting for September 11 at 5:30 pm.

Mr. Presot asked about extra recycling bins and was told that there will not be extra bins. They can use plastic bags. Mr. Lahiff said he spoke with Mr. Johnson and he said they are not going to give extra bins.

Mrs. Presot and Mr. Selig both said that they were told if a resident requested additional bins they could get them and now they are being told something different.

Mayor Procuik said to keep using the plastic bags.

Mrs. Presot said that one bin will not be big enough for most families.

Mr. Hatgas said that after a year, we can go back and renegotiate the possibility of larger bins.

ECONOMIC DEVELOPMENT

Mr. Perry gave updates on the Schaaf Road Property remediation, the Safeguard Properties, The U.S. Protective Services, Geis Company property, the former Asset Acceptance Property and the Honeywell property. *See the attached report.*

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ENGINEER

Mr. Henry said he will apply for the Dopwic application before October 19th and he told council to watch for an ordinance for streets at the October 2nd meeting.

BUILDING INSPECTOR

Mr. Socoloff asked that we update the zoning maps and have them codified.

LAW DIRECTOR

Mr. Dowling asked for a motion to pay Baker-Hostetler for the Safeguard invoice of \$3,225.

MOTION: Mr. Black moved to pay Baker-Hostetler \$3,225 for the Safeguard invoice.

Second by Mr. Lahiff Motion passed 7-0

Mr. Cichocki asked Mr. Dowling to look into the "wet vs. dry" aspect of our village. He stated that when we were two precincts, precinct A voted to allow for a liquor license but precinct B did not vote at all. Now that we are ONE precinct he wants to know why the license does not extend to the entire village. What do we have to do to make the entire village non-dry?

Mr. Dowling will look into it.

CLERK/TREASURER

Mr. Clymer stated that, by the next meeting, he will have a quote to have the ordinances codified and also a quote to have them put online.

Our year-to-date revenues are up \$214,558.57 but our first September RITA distribution was down \$56,000 over last year.

CORRESPONDENCE

Mayor Procuik received a thank you note from the family of Neil Richardson. They thanked him for waiving the fee for the community center for the funeral luncheon.

MOTION: Mrs. Presot moved to waive the Community Center rental fee for Josiah House to hold a fundraiser luncheon on October 14, 2012. Second by Mr. Black Motion passed 7-0

MOTION: Mr. Walsh moved to waive the Community Center rental fee for Cadet Troop 72195 led by Nancy Bartholomew for their meetings throughout the year. Second by Mr. Selig Motion passed 7-0

MOTION: Mr. Selig moved to waive the Community Center rental fee for Brownie/Girl Scout troop led by Gwen Adams for their meeting throughout the year. Second by Mr. Walsh Motion passed 7-0

Mayor Procuik noted a letter from Dr. Holland to the seniors inviting them to a "Welcome Back to School" dinner on Sept. 19th and also a letter from Cox Communication noting the changes in seasonal charges.

Mayor Procuik received an email from Carol Pudlock stating that she cannot use the green recycling container and asked why the village went to this system. Mayor Procuik responded that council held several meetings and discussions on the change.

Mr. Hatgas also responded and told her she could continue to use the plastic bags at this time.

We received a thank you from NOACCA for paying our dues.

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The Ohio Municipal League conference will be at the Renaissance Hotel in Columbus on November 1st & 2nd if anyone is interested in going.

MAYORS COURT

Income for August	\$6,735.63
To the State of Ohio	-1,416.50
To Indigent Driver & Alcohol Fund	- 49.50
To Cuyahoga County Reg Info Sys	- 160.00
To Brooklyn Heights	\$5,109.65

Mayor Procuk stated that with the employee wage restoration in April we have spent \$4,775 less this year than at this time in 2011. He said we are operating at about 4% of the budget.

Mayor Procuk will attend the meeting with the local mayors on Friday, Sept. 7th.

The First Suburbs Consortium will meet in Garfield Hts. on September 12th.

A committee meeting was called for 5:30 on Sept. 18th to meet with the Cuyahoga County Solid Waste District to discuss the Cuyahoga County Solid Waste Management Plan Update. Our community must vote on the Plan Update as part of a local ratification process that is taking place now. Council would like more information.

Mayor Procuk read a response from the village lawyer to the Fire Fighters lawyer asking why the settlement is a regular ordinance and not an emergency ordinance. The response referred to the Village Charter whereby the ordinance would be voted on at the next regular meeting. Councilman Black and Councilman Lahiff will not be present at the October 2nd meeting so a special meeting may be called for October 9th.

ORDINANCES & RESOLUTIONS

SECOND READING; ORDINANCE 51-2012 - AN ORDINANCE ELIMINATING ALL RESIDENT RECREATION FEES FOR YOUTH SPORTS IN THE VILLAGE OF BROOKLYN HEIGHTS AND AUTHORIZING THE CLERK/TREASURER TO REFUND ANY FEES ALREADY PAID FOR FALL SPORTS

Discussion: MOTION: Mrs. Presot moved to table this ordinance and the Ordinance 61-2012 dealing with Senior Punch Cards. Second by Mr. Lahiff

Yeas: Presot, Lahiff, Black

Nays: Cichocki, Walsh, Foote, Selig

Motion failed 4 to 3

MOTION BY MR. BLACK ON THE ORDINANCE. SECOND BY MR. SELIG

Yeas: Black, Selig, Walsh, Cichocki, Foote

Nays: Presot, Lahiff

Ordinance 51-2012 passed 5-2

ORDINANCE 55 -2012 - AN ORDINANCE REPEALING SECTION 2 OF BROOKLYN HEIGHTS ORDINANCE 18-93

Sponsor: Mr. Cichocki Second: Mr. Lahiff

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

Nays: none

Ordinance 55-2012 passes 7-0

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ORDINANCE 57 -2012 - AN EMERGENCY ORDINANCE APPROVING THE DECISION OF THE ZONING BOARD OF APPEALS APPROVING THE APPLICATION OF ANTHONY KUCIA, AGENT FOR JEFF COHEN, TO CONSTRUCT A CONCRETE PAD AT 750 RESOURCE DRIVE (US PROTECTIVE SERVICES)

Sponsor: Mr. Selig Second: Mrs. Presot
Yeas: Selig, Presot, Lahiff, Walsh, Cichocki, Foote, Black
Nays: None
Ordinance 57-2012 passes 7-0

1st Reading: ORDINANCE 59 -2012- AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN THE VILLAGE OF BROOKLYN HEIGHTS AND THE BROOKLYN HEIGHTS PART-TIME FIREFIGHTERS ASSOCIATION

Sponsor: Mr. Selig Second: Mr. Lahiff
This Ordinance will come under consideration at the next regular meeting.

ORDINANCE 61 -2012- AN EMERGENCY ORDINANCE ELIMINATING ALL SENIOR "PUNCH CARD" TRANSPORTATION FEES IN THE VILLAGE OF BROOKLYN HEIGHTS, AND AUTHORIZING THE CLERK/TREASURER TO REFUND ANY UNUSED PRE-PAID PUNCH CARDS

Sponsor: Mr. Walsh Second: Mr. Cichocki
Yeas: Walsh, Cichocki, Foote, Black, Selig
Nays: Presot, Lahiff
Ordinance 61-2012 passes 5-2

ORDINANCE 62-2012 – SEPTEMBER PAY ORDINANCE

Sponsor: Mr. Walsh Second: Mr. Foote
Yeas: Walsh, Foote, Lahiff, Cichocki, Black, Presot, Selig
Nays: none
Ordinance 62-2012 passes 7-0

RESOLUTION 12-2012 -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: Mr. Black Second: Mr. Walsh
Yeas: Black, Walsh, Lahiff, Foote, Cichocki, Presot, Selig
Nays: none
Resolution 12-2012 passes 7-0

RESOLUTION 13-2012- AN EMERGENCY RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 R.C.

Sponsor: Mr. Black Second: Mr. Walsh
Yeas: Black, Walsh, Selig, Presot, Lahiff, Foote, Cichocki
Nays: none
Resolution 13-2012 passes 7-0

Mr. Black told Mr. Walsh that in the past Finance Committee meetings called to early (September) tend to drag out and those called late (November) are usually rushed.

The November council meeting will be held on Wednesday, November 7th due to the elections.

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

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer

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Tuesday, September 04, 2012

Brooklyn Heights Economic Development Activity Report for August 2012

- **Schaaf Road Village Property Remediation Project**-spoke with Partners Environmental and they will be submitting a Vap II Report to Jan Bayne, Cuyahoga County Department of Development, lead for this project this month. Things appear by all to be very positive going forward for the project. Bob Davis, Solar Testing and I will be meeting with Partners/County in the next few months or so to review all of their finds and moving ahead with the remediation process.
- **Safeguard Properties**-there is plenty of activity going on at this point, and the property will soon be occupied with an eventual employee number of between 150-200 people.
- **U.S. Protective Services**-spoke with Jeff Cohen, owner, and he indicated that barring any unforeseen issues, they will begin occupying the property by October 2 and will eventually have approximately 45/50 employees. Additionally, he is in the final stages of negotiating an agreement with a tenant for his next door property as well. They will have approximately 15/20 employees.
- **Geis Companies**-spoke with Jim Doyle and he indicated that they don't have any really solid prospects as yet, but that he feels once the National Election is over, they will see a lot more activity. Obviously, many businesses are in "holding patterns" at this point.
- **Former Asset Acceptance Property**-spoke with Dave Hollister of Grubb & Ellis, who represent the property and at this point they don't have any real potential tenants however, with all of the activity taking place on West Resource Drive, this should help to market the building. Or perhaps Safeguard's new operation may utilize it as well.
- **Former Honeywell Property**-spoke with Vic Voinovich who explained that the Nyer Management Company who was managing Frank's Property, while it was in receivership, has now been removed from the picture due, to Omni working out an arrangement with Frank Chapman. This will be a very positive step in ultimately leasing the property since; we will now have local ownership which will make marketing the property much easier. Mayor Mike and I met with both Pat & Tom Finley recently and they are very excited about obtaining it.
- The last piece of good news is that we have a company in the Village who, will be adding approximately 70+ employees to their staff due to a re-location move.