

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD: August 1, 2023

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on August 1, 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
Mayor	Procuk
Clerk/Treasurer	Frank
Law Director	Dowling
Assistant Law Director	
Engineer	Zoldak
Police Chief	Meade
Fire Chief	Stefanko
Asst. Fire Chief	
Service Director	Blados
Bldg. Commissioner	
Asst. Bldg. Comm.	Sonenstein
Comm. Service Director	Guilfoyle
Recreation Director	Krzymowek
Soccer Commissioner	Shadd

GUESTS: Bruce DeMarco

MOTION: Lasky moved to excuse Councilman Walsh from tonight's meeting. Seconded by Presot. Motion carried 4-0.

CORRESPONDENCE / MAYOR PROCUK

- A letter, dated July 19th, was received from Frank LaRose, Ohio Secretary of State. The letter was read in its entirety:
Dear Village Officials, for the upcoming August 8th, 2023 special election, Ohio voters will have a chance to vote on a statewide ballot issue. Issue One elevating the standards to qualify for an initiated constitutional amendment and to pass any constitutional amendment. As Secretary of State and Chairman of the Ohio ballot board, I want to ensure information about this important issue is available and accessible to all Ohio voters. And I'm seeking your help in this endeavor. The 2023 statewide issue report which includes the official ballot language, explanation, arguments for and against, and the full text of the statewide issue. The report is also now posted prominently on my office's website at voteohio.gov. The website is also a resource for information on your three voting options, and election security. I encourage you to direct interested voters to this webpage and if possible, to include a link to the 2023 statewide issue report on your own website. For your convenience, we have created an issues report widget to use on your website, simply copy and paste the code to create a custom button that will stand out to Ohio voters who may be visiting your website now through the election. We also encourage you to share the state issues information link through social media. If we can provide additional information or assistance,

MINUTES OF A MEETING

HELD: August 1, 2023

please contact us at 877-767-6446 or info@Ohio.gov. Thank you for all you do to promote civic involvement and informed electorate. Yours in service, Frank LaRose.

- An email was received from Alison Ball, dated July 20th, thanking him for the village application for funding from the PY 2023 Healthy Urban Tree Canopy Grant Program. They were interested in our project idea but unfortunately did not have enough funds to cover all project requests and hopes that we will apply again in future funding years.
- A letter was received from Mary Cierebiej from the Cuyahoga County Planning Commission thanking us for applying for the same grant, the Healthy Urban Tree Canopy Grant Program and regrets that sufficient funding was not available for all requests and hopes that we apply again.
- A letter is being sent to all Spring Road businesses informing them that the Spring Road Project is in the completion phase and all traffic patterns have resumed. It requests that they remind all truck traffic that no truck traffic is permitted in the residential portion of Spring Road within the City of Cleveland.
- He received a postcard informing us of a Clean Water Festival being held at the 49th Street Regional Sewer District from 9:00 am to 4:00 pm with games, tours, trucks and more.
- Nate Podell, Cubmaster of Pack 28, sent a request to have Pack 28 and Troop 28 camp in the Village Park. The Boy Scouts of America sent a similar request years ago and it was denied by Police Chief Meade and Fire Chief Stefanko at the time due to liability and safety concerns. This, however, is the Scouts that we sponsor, and we meet all of the amenities required by the Boy Scout Association.

MOTION: Berzins moved to approve Pack 28 and Troop 28 to camp in the Village Park. Seconded by Presot. Motion carried 4-0.

- Although we were turned down by the Urban Tree Canopy, we are in communication with Jason Knowles. He is following up with Ohio Department of Natural Resources opportunities. You will still see some trees being planted in the fall that were under warranty.

AUDIENCE COMMENTS

- Bruce DeMarco of Dorset Drive / He thanked everyone involved for getting the Dorset project financed and underway. He feels the company handling the job is very capable. He spoke with Engineer Jenny Zoldak and recommends that she be involved in any future projects. She was very responsible and accessible. Mr. DeMarco then shared a story of when he worked for Norris Brothers and in 2008 and during one of the largest state projects, Alcoa put into place emergency and evacuation plans in the event of a catastrophe. He described the emergency plan in detail and explained that Alcoa was the host employer. Mr. Lasky asked where this information was supposed to lead us and he responded that it was in relation to the Dorset Project

POLICE DEPARTMENT / DAVE MEADE

- There was a backorder on the thermal light vision. It is being shipped now and should be received on Friday and be installed. Once it's done, our two pilots need to go there for two hours of training. Then we will receive the drone and it should be up and running mid-week. The company is located in Richfield.
- He has been copied on emails regarding parking violations. When the police have time they are writing citations. There have been many pursuits that have kept the officers busy. In June they wrote 24 parking citations and they have seen a reduction in parking offenses, hopefully it will go down again in August.
- He shared a story that last week Patrolman Angelone was patrolling the industrial area and found a car behind a building. The car took off and he chased it at 3:30 in the morning between Van Epps, Spring Road and Hinckley Parkway. The kid missed a gear getting on the freeway with a

MINUTES OF A MEETING

HELD: August 1, 2023

Dodge Hellcat and he pitted it. All our officers are trained for pit situations and/or are scheduled to go for training in the pit maneuver. It was discovered that the car was stolen 3 hours earlier out of dealership in Finley and the car was worth over \$82,000. They recovered the vehicle and arrested the driver. They were charged in Cuyahoga County for their RSP's (Receiving Stolen Property).

FIRE DEPARTMENT / JOE STEFANKO

MOTION: Berzins moved to pay Breathing Air Systems to fill the air tanks not to exceed \$1,100. Seconded by Tommer. Motion carried 4-0.

MOTION: Lasky moved to pay Emergency Vehicle Products, Ltd. to for annual pump testing on the Ladder truck and Engine 47 not to exceed \$3,500. Seconded by Presot. Motion carried 4-0.

SERVICE DEPARTMENT / JOE BLADOS

- They've started some Upper Park parking lot repairs, restriping and they're getting everything ready for the Grand Opening event.

COMMUNITY SERVICES / THEA GUILFOYLE

MOTION: Presot moved to pay Lori's Custom Catering \$1,463 for Meals on Wheels for the month of July. Seconded by Berzins. Motion carried 4-0.

- Friday was the last day for the Art in the Park summer program. They had a great group of kids and volunteers. Mother Nature didn't cooperate well but they made do and everyone enjoyed the pizza lunch provided by Mayor Mike.
- They are starting to call residents to pick up their residential building plans and will continue distribution.
- The NOACA grant was submitted. This is for dual-facing cameras, back up cameras and GPS units. Grants will be awarded in December and procurement is in the summer of 2024.
- The Project Hope Back to School Program is in process and they are assisting eight families with backpacks and school supplies.
- The information sheets have been created for the Seven Hills Rec Memberships. They've received a few calls and are being told it is effective September 1st. She also noted that this does not cover any previously purchased memberships and there will be no reimbursements.

SOCCER COMMISSIONER / NARLIN SHADD

- Soccer is supposed to begin the weekend after Labor Day and end just before Halloween. Sign up is going on now through August 13th. Sign up is a little slow now and he should be able to report at the next council meeting how many teams they'll have.
- He received an email from the Cuyahoga Heights Athletic Director asking if the field would be ready so the high school team could practice. He told them they could come down anytime but the field may not be lined yet. He will let the Service Director know ahead of time when the field will need to be lined for the Village recreation teams.
- The travel soccer team asked if they could have practice time on the field and he informed them that the recreation teams come first with both games and practices. He will let them know the availability. He learned that the travel team received permission from Cuyahoga Heights to have their games on their field.

MINUTES OF A MEETING

HELD: August 1, 2023

RECREATION DIRECTOR / DALE KRZYNOWEK

- The baseball, softball and t-ball season ended and July 15th were the last games. Our teams were very competitive. The Boy's Colt team that played out of Cuyahoga Heights were champions and he believes one of the girl's teams that were combined with Cuyahoga Heights was also champions with Cuyahoga Heights taking care of the awards. The boys chose to have champion t-shirts instead of trophies and they were delivered this week.

ENGINEER / JENNY ZOLDAK

Current Construction Projects

- Spring Road Pavement Reconstruction: Project is open to two-way traffic. Few punch list items- biggest one being the pavement striping.
- Dorset, Dunedeen, Bancroft: construction is continuing on the north side of Dorset. Continuing to address resident concerns as they come up. Appreciate the cooperation from residents and their neighbors when the access to driveways is interrupted for those several days when the crew is in front of your house.
- Guardrail replacement: Reached out to M. P. Dory, they provided a rough schedule of the 3rd or 4th week in August, work taking 5-7 days.
- ODOT Granger Road Reconstruction: ODOT Construction is ongoing on Granger Road. No new updates. Good news is just three months left in the project.
- Lancaster Road Bridge Repair: Don Wittman with ODOT reached out to her with an update about Lancaster Bridge. He expressed appreciation that we are taking ownership of the required patching. He let her know that as it stands, Lancaster Bridge is scheduled for total deck replacement in 2032. They are in the process of scheduling it for an overlay in the next few years. This may ultimately impact the deck replacement, pushing it further out if not required in 2032, but ODOT sees that the need is there for the overlay. We just need to continue to maintain for the next few years, until the overlay is scheduled.
- Upper Park: CXT Bathroom order has been placed. Expect delivery in the spring. We have submitted for reimbursement so hope that will be turned around by the County quickly. The bathroom cost \$156,000, so that means we spent all of the \$150,000 CDBG grant money by the required deadline of September 30, and we have until March 30th to spend the remaining CDSG money- about \$44,000.
- She did speak with Mike Henry about some decisions made about the Upper Park playground area. He stated she was correct, that the walk was left in place due to concerns with hillside stabilization. They discovered a metal piece was actually holding the sidewalk in place, and they were concerned if they removed the walk and metal angle piece, they would cause issue with erosion. Also he said the stone was added for aesthetic on top of the sidewalk, not for drainage or anything else other than the aesthetics, it was grouted in place on top of the walk.
- GradeLine installed the adult swing and DWA happened to notice a couple things that would not meet the inspection checklist. She talked to our main contractor and he suggested getting a price to have the work done by the playground company and then GradeLine will pay for it. The work will be done probably in October.

Legislation

- Granger Road Resurfacing: Legislation to allow ODOT to resurface Granger Road from East of Tuxedo to the Village corporation limit. ODOT will pay for 100% of the cost of the resurfacing.
- OPWC: OPWC applications are due middle of September. We have resolution for CVE to prepare the application for work on Valley Belt.

MINUTES OF A MEETING

HELD: August 1, 2023

- Mr. Frank asked about the CDSG grant. \$6,000 has already been spent and there is money left. She responded those funds will be used for sanitary connection, electrical, water and the deadline is March 30th.

BUILDING DEPARTMENT / HOWARD SONENSTEIN

- Following up on Mr. DeMarco's comments...he has worked with Engineer Zoldak and it is an absolute pleasure. Every time she meets with a resident, things get straightened out, no issues, and he wanted to compliment her.
- They held a Records Retention Meeting this evening to discuss the legalities of keeping only digital files.
- It has been a record month with contractors working without permits. They literally had to stop someone putting on a roof and one contractor did it twice. It's further protection for the resident to use a registered contractor.
- They had a meeting about 707 Brookpark and he is working with Police and Fire to get that situation straightened out.
- On Hayes Drive there are a couple companies in there without occupancy permits. One is PEX and it has been going on for several months and they won't cooperate. He is working with the Fire Department.
- At 720 Tuxedo, where a big renovation and driveway were put in, have applied for two variances: one for the driveway due to the location and the other is for a shed that is closer than allowable to the neighbor's property. Mrs. Presot asked if the BZA meeting was scheduled yet and he replied it had not. He dropped the packets off last week and hasn't heard back.

LAW DIRECTOR / JERRY DOWLING

- The Assistant Law Director has done a lot of the research on the Records Retention issue and will be at the next meeting.

CLERK/TREASURER / AARON FRANK

- He will get the month of July closed next week.
- The Capital Fund transfer was \$113,500 plus the \$30k we're allocating so the total put in that fund was \$143,500.
- They squared away one of the local companies with their incentive agreement and that amount came to \$24,860.39. They are working on another incentive agreement and the tax administrator, Greg Single, is on it.
- He sent an email to the county to see what the status is on the \$150,000 ARPA money that is allocated for the elevator. They responded that everything is in order and they will be cutting that check soon. That check, along with the \$27k left over from the bus, will go towards the elevator.
- RITA hit today in the amount of \$281,131 which is under last year's first drop by \$152,000. He will assess it in the middle of the month when the second drop hits.
- He received an email from Vince of Waste Management for copies of the committee meeting on July 11th, the council meeting on July 18th and Kimble's bid packet. He was sent everything and noted that the July 18th minutes are unofficial as they will be passed at the next meeting.

MOTION: Presot moved to pay Cuyahoga Heights \$2,485 for the 2023 pool pass pre-sale. Seconded by Tommer. Motion carried 4-0.

MINUTES OF A MEETING

HELD: August 1, 2023

MOTION: Berzins moved to pay Clemens Nelson \$2,813.53 for HR services. Seconded by Presot. Motion carried 4-0.

MAYORS REPORT / MAYOR PROCUK

- The RITA drop for August is pretty interesting. Looking at the past few years, our budget, we were expecting the first drop to be around \$372,000 and we received \$281,000. Last year in August the total for the month was \$504,715 and the first drop was significantly higher with the second drop being only \$69,000.
- In 2021, in August we received \$1,075,696 so we're below that. If you go further back to 2020, the total collected was \$591,986. With this deposit of \$281,000, we should see the numbers even out by month end.
- The recycling report came out and Brooklyn Heights recycled 2.33% more in 2022 than we did in 2021. When we put those recyclables in the green can, that's saving us money from that not going into the landfill.
- He asked the Service Director if we are still required to purchase plastic bags for mattresses and other fabric furniture and Mr. Blados responded that is correct. That it was put in place to protect the company's employees because by handling these items, they were taking bed bugs home and spreading them to different areas.
- He asked Ms. Guilfoyle to clarify that we will begin taking applications and payments on September 1st for the Seven Hills Rec Memberships and she stated that is correct.
- He also asked Ms. Guilfoyle if her office will handle the Home Heritage Loan requests and she responded that they would be happy to. Mayor ProcuK said they will be sending the letters out and he'll instruct them to direct them to her.

MAYORS COURT / MAYOR PROCUK

Income for July	\$17,630.60
Victims of Violent Crimes	792.00
Drug Law Enforcement Fund	297.50
State Bond Surcharge	0.00
Seatbelt Violation	120.00
Child Restraint	71.00
State of Ohio	3,580.50
Indigent Defense Support	2,300.00
Indigent Driver Alcohol Treatment Fund	127.50
Bond Forfeitures	0.00
Regional Enterprise Data Sharing System	440.00
Brooklyn Heights	\$13,482.60

COMMITTEE REPORTS

SAFETY COMMITTEE / JEN PRESOT

- They met this evening and discussed the police flock camera contract and it was decided to renew the contract for five years including five new license plate readers and one HD camera for the Upper Park.

MINUTES OF A MEETING

HELD: August 1, 2023

- Also at the meeting, they received an update on the new fire truck. After a pre-build visit, additional items were added in the amount of approximately \$10,000 and the truck is expected in 2025.

RECORDS RETENTION COMMITTEE / AARON FRANK

- A meeting was held this evening to discuss steps needed to alleviate maintaining paper records and keeping only digital files. The Law Director and Assistant Law Director will do their due diligence regarding legal issues and he will contact the Historical Society for their input. Once completed, an ordinance will be drawn up and the Building Department can proceed followed by other departments.

Councilman Lasky shared that he echoes previous comments for Engineer Zoldak and also wanted to compliment Service Director Joe Blados who took care of a resident on a Saturday after Mr. Lasky received a call from a resident whose trash had not been picked up. Mr. Blados handled it.

ORDINANCES & RESOLUTIONS

ORDINANCE 76-2023 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH EYE MED VISION CARE FOR THE PURCHASE OF VISION COVERAGE FOR ELIGIBLE EMPLOYEES

Sponsor: None

Second: None

Yeas: 0 / Nays: 0

Ordinance 76-2023 is tabled

MOTION: Presot moved to table Ordinance 76-2023 and bring it back out as an emergency ordinance at the second meeting of the month. Seconded by Tommer. Motion carried 4-0.

Mayor Procuik explained that if the Ordinance is passed tonight, it would require a second vote at the next meeting and not go into effect for another 30 days.

RESOLUTION 14-2023 A RESOLUTION AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE FINAL COST OF THE RESURFACING OF BROOKPARK ROAD (SR-17) PID 108005 CUY SR 017

Sponsor: Lasky

Second: Presot

Yeas: 4 / Nays: 0

Resolution 14-2023 is adopted 4-0

RESOLUTION 15-2023 A RESOLUTION AUTHORIZING THE ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S)

Sponsor: Berzins

Second: Tommer

Yeas: 4 / Nays: 0

Resolution 15-2023 is adopted 4-0

MINUTES OF A MEETING

HELD: August 1, 2023

MOTION: Lasky moved to go into Executive Session to discuss litigation. Seconded by Berzins. Motion carried 4-0.

RETURN FROM EXECUTIVE SESSION

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

Yeas: All

Meeting adjourned.



Mayor



Clerk/Treasurer