

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD: October 3, 2023

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on October 3, 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	Stefanko
Asst. Fire Chief	Lasky (Mike)
Service Director	Blados
Bldg. Commissioner	
Asst. Bldg. Comm.	Sonenstein
Comm. Service Director	Guilfoyle
Recreation Director	Krzynowek
Soccer Commissioner	Shadd

Guests: None

MOTION: Berzins moved to approve the September 19th Regular Council Meeting minutes. Seconded by Walsh. Motion carried 5-0.

CORRESPONDENCE / MAYOR PROCUK

- Alison Ball of the Cuyahoga County Natural Resources Assistant Council, sent a letter to Lisa Barno of the Mayor's and Manager's Association and to Mayor Procuk congratulating his appointment by the District One Public Works Integrating Committee for his reappointment to the District One Natural Resources Assistant Council for a three-year term October 15, 2023 to October 14, 2026. Congratulations Mayor Procuk.
- A letter was received from Dominion Energy and Mayor Procuk read the first paragraph stating: I write to inform you that the East Ohio Gas Company doing business as Dominion Energy Ohio intends to file a request for an increase in natural gas distribution rates, approval of other tariff changes and authority to implement an alternative rate plan with the Public Utilities Commission of Ohio in about 30 days. The total increase in natural gas distribution rates that the DEO, which is a shortened name for Dominion, will request is approximately \$212 million. These changes would affect the natural gas rates that DEO will I mean, these changes would affect the natural gas distribution rates charged to approximately 1.2 million customers. We understand that rate increases are never desired. But be assured these amounts will continue to fund the modernizing of our system and ensure the continued safe and reliable service.

- The Rainbow Babies & Children's Hospital is once again having their Mocktail party. It is the 24th Annual Holiday Mocktail Party and Safe Kids benefit. It will be held at the IX Center on Thursday, November 16th. You can purchase tickets in advance from their website.
- NOACA (Northeast Ohio Areawide Coordinating Agency) sent their annual report and it includes the 2022 pavement network condition, the 2022 backlog scenario, the optimal preventative maintenance and rehab build M&R program and the current NOACA transportation asset management strategies.

SOCCKER COMMISSIONER / NARLIN SHADD

- Everything is going well but they would have liked to win a couple more games. Of their two teams, they are 1-3 and 1-4 at this time. The Dyna-Mites are undefeated.
- Mayor Procuik commented that he received a lot of positive feedback on the referee this year. The sidelines really appreciate his enforcement and instruction and expediting the game.

RECREATION DIRECTOR / DALE KRZYNOWEK

- The basketball sign ups have started with a deadline of October 21st. So far about ten have been received. They'll come in at the last minute. This is the life in the rec world.

POLICE DEPARTMENT / DAVE MEADE

MOTION: Presot moved to pay \$3,540 to Quality Imaging Solution for a new copy machine. This cost includes the \$200 per year service contract. Seconded by Tommer. Motion carried 5-0.

MOTION: Lasky moved to pay \$1,548 to Firehawk Automotive for Cruiser 2318 for rotors, brake pads and tires. Seconded by Berzins. Motion carried 5-0.

MOTION: Walsh moved to pay A&S Animal Control for a 2-year contract renewal fee in the amount of \$750 per month and a \$200 per trapping fee for year one and \$800 per month and a \$200 per trapping fee for year two. Seconded by Tommer. Motion carried 5-0.

MOTION: Walsh moved to pay Cox Communications \$3,864 per year to increase our Internet speed. Seconded by Presot. Motion carried 5-0.

- They have three of the five flock cameras up and running. The other two should be up this week. The park camera is about six weeks out since it's a new product so it should be installed either the end of this month or the beginning of next month. After that install, the electrician can complete the hook up.
- Mayor Procuik brought up recent and recurring resident concerns and complaints including dogs running loose without a leash, dog waste not being picked up and overnight parking. Additionally, West Fifth Street parking, from Tuxedo to South, has been an issue due to the Water Department moving the utility to the opposite side of the street making the street parking signs contrary to the norm. Now the fire hydrants are on the east side of the street and the no parking signs are on the west side. He asked the Service Director to work with the Fire Department to come up with a solution.
- He complimented the Police Department for the consideration for habitual offenders whether they are advised or ticketed.

FIRE DEPARTMENT / JOE STEFANKO

- Chief Stefanko thanked Assistant Chief Lasky and his staff for covering for him while he was out for medical reasons.

- They performed their annual testing of the fire trucks including pump testing, ladder testing and aerial testing.

SERVICE DEPARTMENT / JOE BLADOS

- Mr. Blados thanked all the volunteers who helped at the Family Fun Day. Everyone liked seeing the Police Department drones and the bike patrol and the Fire Department truck and ambulance. They served over 300 hot dogs and it was a great day! He thanked Mr. Stepka who designed and printed the t-shirts for the volunteers.
- They are still cutting senior grass.
- The department did a test run on one of the leaf vacs and had to rebuild the entire upper top. Leaf pick up should begin next week. Mayor Procuk inquired why the top was in bad shape. Mr. Blados explained that the equipment is 25 years old and spent several years stored outside. The metal grate that should keep debris from blowing out needed repair. They are putting band aids on for now but will have to invest in infrastructure in the near future. They have one of the diesel trucks started and they did box repairs because the cabinet was rotted. They'll keep it running as long as they can.
- He submitted the road debris sample to the EPA for testing. Once this process is complete they will have the street sweeper on the road regularly.
- The Shred It event was well attended and appreciated.
- He reported that the guys have worked on the 5085 West 6th Street house and inquired the status. Building Official Sonenstein shared that the garage was torn down and they will have to get a point of sale before it is sold. Mr. Blados turned in the before and after photos along with the log of manpower hours which amounted to approximately \$3,250. Mayor Procuk shared that Assistant Law Director Mason worked diligently on this because they will either put a tax lien against the property or charge the owner/investor for the work.

MOTION: Berzins moved to pay Townsend \$1,275 for the fall trimming. Seconded by Presot. Motion carried 5-0.

MOTION: Presot moved to pay \$4,307.82 to Game Time Equipment for chains for playground equipment. Seconded by Tommer. Motion carried 5-0.

- Mayor Procuk inquired about the dead tree in the park that is on our property. Mr. Blados responded that there is no safe way for his department to take it down. He asked Townsend to get him a quote and they will have it removed as soon as possible. Mr. Procuk informed the law director that if the quote comes in under \$1,000 that he instructed Mr. Blados to take the tree down and if the quote is over \$1,000 that he'll have to bring it before council.

COMMUNITY SERVICES DEPARTMENT / THEA GUILFOYLE

MOTION: Walsh moved to pay Lori's Custom Catering \$1,442 for the September Meals on Wheels. Seconded by Presot. Motion carried 5-0.

MOTION: She received a call from Carol Mason, the Jazzercise instructor, asking if they could have the community center fee waived and to hold four classes there while the Seven Hills Rec Center is closed for maintenance. Walsh moved to waive the community center fee. Seconded by Tommer. Motion carried 5-0.

- To date, they have distributed 84 sets of building plans and residents continue to call for them.

- The building of the new sports registration platform through MyRec is underway. She did a site review with them this morning and we will be scheduling training over the next couple of weeks. She and Clerk/Treasurer Frank met with the MX Merchant representative and that is all set up. All training needs to be completed by November 13th.
- Earlier this evening she held a committee meeting to discuss the new website developer and it was agreed to go with Civic Plus.
- The Seven Hills Rec membership signups are continuing and she received their first invoice for the month of September in the amount of \$7,475. She will get legislation ready for this payment for the next council meeting.
- Ms. Guilfoyle reported that Jenny Blados, her administrative assistant, obtained certification and is now a Notary Public.
- Senior Snow Removal sign up is going very well and almost sixty have signed up already.
- The Vaccination Clinic scheduled for this coming Thursday will be offering the following vaccinations: regular adult flu, the high dose flu, pneumonia, COVID booster, RSV and Shingles.
- She reminded everyone that the deadline for the winter all-village mailer is November 3.
- Mrs. Presot asked what the dates were for the Project Hope Tree and she responded that it is underway and she will get the dates to her.
- Mayor Procuik shared that it's very refreshing to have so many families participate in the Seven Hills Rec Center memberships.

ENGINEER / JENNIFER ZOLDAK

- Village projects around the Village are complete. Dorset is the only project with open construction items for the Village, they have a few punch list items remaining- namely two locations where water is ponding in front of drive aprons. They are withholding retainer on the project, until those items are corrected to our satisfaction.
- Other active construction ongoing is at Tuxedo-Granger. She did check-in, sounds like there were some delays and extra work encountered, so two-lanes in either direction will be opened closer to mid-November. However, they believe the detour should still be able to be taken down by October 31st.
- Cuyahoga Valley Engineering is looking into a potential grant for the Village-owned property on Schaaf Road.
- Ohio EPA Recycle Ohio Grant: Applications are due December 1. There are two different programs they will apply for:
 - Community and Litter Grant: She will work with Service Director Blados to put together an application for two leaf vac machines. They can request up to \$200,000, and the Village required share is a 25% match on the grant amount.
 - Water Bottle Refill Station Grant: She will also work with Service Director Blados to submit an application to install water bottle refill stations. They can apply for up to \$10,000, to cover the cost of the equipment only. No cash match is required, the Village would have to pay for the installation.
- Community Development Supplemental Grants: This is a request for up to \$50,000. The applicable uses are pretty broad, some of the listed items are: safety, street scaping, lighting and landscaping, road resurfacing, park construction and improvement, cameras, acquisition and demolition. She will work with Service Director Blados on this grant application as well.
- Last item from engineering is that they have received a Planning Commission submittal for the Lot Split on Valley Belt Road for the Kurtz Brothers property. The meeting will be scheduled in the next few weeks.

BUILDING DEPARTMENT / HOWARD SONENSTEIN

- As mentioned earlier, he is working with the Service Director on the 5085 West 6th Street issue.
- He received plans from a company on Valley Belt who are wishing to expand their parking lot fence. He will work with the Engineer and the Planning Commission.
- As the Engineer reported, the lot split information came out today and was distributed.
- They met with Civic Plus and have decided to stay with Cloud Permit.
- They are working with the Fire Department, as they do their inspections, to get businesses that do not have certificates of occupancy so he will follow up with them.

LAW DEPARTMENT / JERRY DOWLING

- He received notice from the law firm that assisted us with the Safeguard issue approximately ten years ago that they normally destroy files that are over ten years old. He will advise them that we have all the paperwork and it is fine to destroy their old files.

CLERK-TREASURER / AARON FRANK

MOTION: Berzins moved to pay the Baldwin Group \$2,305 for the Mayor's Court software modules 2024 annual support maintenance. Seconded by Lasky. Motion carried 5-0.

MOTION: Presot moved to pay Clemens Nelson \$3,267.50 for position descriptions, policy manuals and other services. Seconded by Walsh. Motion carried 5-0.

- They will close the month by the end of the week.
- The first RITA drop was \$603,593. He will give the complete RITA report after the next drop.
- With all of the construction projects wrapping up, there is a lot of financial movement covering the obligations. He'll be paying off the majority including the Dorset and Bancroft project and the Spring Road and Guard Rail projects. Once the cancelled checks are received he will work with Engineer Zoldak to submit for the remaining reimbursements.
- He completed the merchant accounts set up for MyRec and looks forward to further efficiency that it will provide, that it will allow our residents to use credit cards and allow him to have more control over the commerce.

MAYOR'S REPORT / MAYOR PROCUK

- Our first RITA drop was \$603,593 net and we had expected \$471,000. In the previous year we received \$512,000. Year to date, we're running almost \$600,000 ahead of our anticipated receipts or just under a half million dollars over what we collected to this point last year. We are \$1.7 million dollars ahead of what we collected in 2020 and we're \$624,000 ahead of what we collected in 2021. The trend continues to be good.
- At 66 2/3 through the year, the department heads are operating at 2.3% under budget. The general fund surplus carryover from year to year, we've added almost a half million dollars to that surplus alone.
- Our capital expenditures this year are an amazing \$4 million through grants, tax dollars and all of the above. The 15% revenue stream toward capital improvement adds up to almost \$900,000 that has been put into capital improvement. He will be looking to increase that to 20% in January of 2024.
- Today is the first day of enforcement for cell phones while driving. He seldom sees a car where someone isn't distracted by either cell phones, eating, using rechargeable razors or applying lipstick.
- The NOPEC annual meeting is November 14th at 10:30 am at the Hilton Garden Inn in Twinsburg. He will assign a proxy if he cannot attend.

- He asked what we did with the National Merit Scholarship Qualifying Test and PSAT within the Village. Councilman Lasky responded and thanked Ms. Guilfoyle and Mr. Blados who recommended to Mr. Trey that students connect him for fire hydrant painting. He'll be out working with them to wire brush and paint the hydrants weather permitting on the numbered streets.
- He just received a text and they just announced the top three only and Cuyahoga Heights was not one of them for the George Gross Memorial.
- He shared that we may have some of our businesses stop in at a council meeting due to the school levy under consideration.

MAYOR'S COURT / MAYOR PROCUK

Income for September	\$13,414.16
Victims of Violent Crimes	423.00
Drug Law Enforcement Fund	157.50
State Bond Surcharge	0.0
Seatbelt Violation	150.00
Child Restraint	0.0
State of Ohio	2,045.50
Indigent Defense Support	1,315.00
Indigent Driver Alcohol Treatment Fund	67.50
Bond Forfeitures	0.0
Regional Enterprise Data Sharing System	225.00
Brooklyn Heights	\$11,076.16

PARKS, PLAYGROUND & COMMUNITY SERVICES COMMITTEE / JENNIFER PRESOT

- A Community Services Committee meeting was held this evening to discuss a new village website and it was decided to contract with Civic Plus.

ORDINANCES & RESOLUTIONS

ORDINANCE 84-2023 AN ORDINANCE AUTHORIZING THE CLERK/TREASURER TO EXECUTE AN AMENDMENT TO THE SETTLEMENT AGREEMENT WITH KURTZ BROS.

Sponsor: Presot

Second: Berzins

Yeas: 5 / Nays: 0

Ordinance 84-2023 is adopted 5-0 / Second Reading

ORDINANCE 87-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH AUBURN FENCE CORP. TO REPLACE THE UPPER PARK FENCE

Sponsor: Lasky

Second: Tommer

Yeas: 5 / Nays: 0

Ordinance 87-2023 is adopted 5-0

ORDINANCE 88-2023 AN EMERGENCY ORDINANCE ESTABLISHING FUND 492 AS THE SPRING ROAD RECONSTRUCTION FUND

Sponsor: Berzins

Second: Walsh

Yeas: 5 / Nays: 0

Ordinance 88-2023 is adopted 5-0

ORDINANCE 89-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE CLERK/TREASURER TO MAKE PAYMENT TO CHAGRIN VALLEY ENGINEERING, LTD. FOR SERVICES RENDERED ON VILLAGE PROJECTS

Sponsor: Tommer

Second: Walsh

Yeas: 5 / Nays: 0

Ordinance 89-2023 is adopted 5-0

ORDINANCE 90-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK-TREASURER TO ENTER INTO A CONTRACT WITH CIVIC PLUS FOR THE DEVELOPMENT OF A NEW WEBSITE FOR THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: Presot

Second: Berzins

Yeas: 5 / Nays: 0

Ordinance 90-2023 is adopted 5-0

ORDINANCE 91-2023 ~~SEPTEMBER~~ PAY ORDINANCE

Sponsor: Walsh

OCTOBER

Second: Lasky

Yeas: 5 / Nays: 0

Ordinance 91-2023 is adopted 5-0

RESOLUTION 18-2023 AN EMERGENCY RESOLUTION MOVING THE FIRST NOVEMBER COUNCIL MEETING

Sponsor: All of Council

Second: Walsh

Yeas: 5 / Nays: 0

Resolution 18-2023 is adopted 5-0

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