

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD December 6, 2016 20

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on December 6, 2016 at 7:30 P.M. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

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

Mayor Procuk asked if the November minutes were available to approve and Mr. Clymer said he didn't have them ready.

Mr. Foote said that the Building Committee met this evening with Cox Communications who gave a proposal for a new phone system that is favorable to the village with cost savings.

### **ORDINANCE 92-2016 - AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A FIVE (5) YEAR AGREEMENT WITH COX COMMUNICATIONS FOR TELEPHONE SERVICES**

Sponsor: Mr. Foote

Second: Mr. Walsh

Yeas: Foote, Walsh, Lasky, Lahiff, Black

Nays: None

Ordinance 92-2016 is adopted 5-0

### **AUDIENCE**

No Comments

### **POLICE CHIEF**

Chief Algeri reported that the Greater Cleveland Safe Kids Mocktail Party fundraiser was once again a huge success. The theme was SpongeBob Squarepants and our team won "All Around" and "Best Taste". He thanked Cody Alflen, Chris Leahy, the Jablonskis, Tracy Harris, and Dennis Derbin, the girlfriends of Alflen and Leahy and all who came to support them.

The "Shop with a Cop" tickets are on sale at 6 for \$5.00 with a deadline of Dec. 8<sup>th</sup>. Shopping will happen on Dec. 10<sup>th</sup>.

Chief Algeri asked for a motion to pay North Royalton for housing prisoners last month.

**MOTION: Mr. Black moved to pay North Royalton \$1,611.99 for housing prisoners in November.**  
**Second by Mr. Lahiff Motion passed 5-0**

Mayor Procuk asked Chief Algeri and Asst. Fire Chief Lasky if they were involved in applying for the State Grant money that Rep. Anielski talked about and Chief Algeri said they were combining with Cuyahoga Heights, Newburgh Heights and Valley View for mobile radios.

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### FIRE CHIEF

Asst. Chief Lasky reported that the village portion (\$1,704) of the FEMA grant (5%) will be reimbursed by the county so the new hose cost the village nothing. The old hose was donated to Tri C for training purposes.

### RECREATION DIRECTOR

Mr. Frank reported that the Basketball season has begun. We have six (6) teams participating and they are sharing the Middle School court for practices. Each team gets one (1) hour twice a week using half-court. He said that if the participation grows next year we will have to look into additional practice facilities. Mayor Procuk reminded council that Valley View and Independence will not give us any opportunity to use their facilities.

Mr. Frank asked if the state has any funding for something like this or could we rent space from someone like Fogg.

Checking on the use of the gym in a Constellation school was mentioned also.

### SOCCER DIRECTOR

Mr. Shadd reported that three (3) of the soccer teams volunteered to be soccer ball officials at the Cuyahoga High School games. He gave the stats of the fall season and said the fields were in great shape and the equipment has been stored for the winter.

The Spring soccer registration deadline will be February 20<sup>th</sup>\* and it will be on the marquees in January. He has contacted the Cuyahoga Hts. Athletic Director about possibly using the gym one day a week for soccer clinics.

*\*Note: typist compared what Mr. Shadd said and what the flyer reads and the correct deadline date is February 17<sup>th</sup>. Mr. Shadd said he spoke incorrectly at the meeting.*

### SERVICE DIRECTOR

Mr. Hatgas reported that they made the decision to purchase the new park equipment (2-person back & arm combo) from Snider Equipment using the University Hospital grant funding.

**MOTION: Mr. Black moved to pay Snider Equipment \$4,995 for the new park equipment. To be reimbursed by the UH grant. Second by Mr. Lasky Motion passed 5-0**

Mr. Hatgas told council that ODOT signed a contract with Cargill Salt after our consortium and it is substantially lower than our contract. The law director from Brecksville got involved and we will pay \$3.00 per ton less on new purchases. We must still purchase the remainder of our contract from 2015-16 (392 tons) at the \$56 per ton before the new pricing kicks in.

We had damage in the park again. Someone tried to steal the dinosaur head without success this time. We have the head which will need some repair prior to being reinstalled in the spring.

### COMMUNITY SERVICES

Mrs. Guilfoyle thanked Mayor Procuk and council for allowing the department heads to watch / attend the Indians World Series game on the date of the last council meeting instead of attending the meeting. She also thanked Mayor Procuk for allowing the busses to be used for the Cuyahoga Heights playoff games.

Mrs. Guilfoyle thanked the Brooklyn Heights Men's and Women's Service Clubs for their generous donations to Project Hope.

There were thirty-one (31) seniors on the Leaf Raking program last month and seventy-five (75) volunteers. Thank you to Mayor Procuk for the pizza and for all who helped rake. It was a good day.

Some of the statistics of our webpage are as follows:



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- The website was viewed 4,500 times over the last month
- Facebook shares were 5,000 for one month.
- The Post Activity (someone clicked on a link in the post) was up over 250%
- The Cuyahoga Heights Championship football video & video views was up 450% over last month
- The Tweet & Sharing were viewed 3,500 times last month.

There are sixty-eight (68) seniors signed up for the snow removal program.

There were twenty-nine (29) attendees at the Remembrance Celebration

Project Hope gave eight (8) families Thanksgiving meals.

The Hope Tree serviced ten (10) families and twenty-three (23) kids. All the tags were taken either by residents or businesses.

Mrs. Guilfoyle reported that the Cleveland Food Bank held its annual audit and site visit and we passed with 100%.

The Art-in-the-Park county grant has been approved for \$1,500 for the summer session.

There will be one winter Art-in-the-Park session with details to follow.

The Christmas Senior Social will be on December 13<sup>th</sup>.

### **CLERK/TREASURER**

Mr. Clymer told council that the General Fund is up \$450,311 year-to-date but December will have a lot of expenses to be paid out. (Three pays, longevity, holiday payouts, comp time payouts, etc.)

R.I.T.A is up 14% over last year. Mr. Clymer said he will need a special council meeting to make adjustments to some appropriations.

Mr. Clymer discussed Ordinance 93-2016 servicing HIDTA which would pay the village \$5,000 for the work.

Mr. Clymer told council that the State Treasurers office has a program called "Open Checkbook". This program puts the municipality's expenses on a website for others to view if they want. They will put together a sample of what it would look like and he will keep council involved in case they want to move forward.

**MOTION: Mr. Foote moved to place Tim Clymer and Thea Guilfoyle on the Volunteer Firefighters Dependent Fund board. Second by Mr. Lahiff Motion carried 5-0**

*Note: Two (2) appointees will be made by the Fire Department and then the four (4) will appoint one (1) other person.*

### **LAW DIRECTOR**

Mr. Dowling said that he spoke with our insurance company (Wickert) to see how the Shared Services would affect our insurance. They told him we would need a Lease Rented Equipment policy of \$100,000 which would cost the village \$360 per year. He read the county contract and is waiting to hear from them on some conflicting wording.

Mr. Hatgas clarified that we would be renting both the equipment and the driver from the county. Mr. Dowling said he would check to see if their insurance would then cover it.

### **BUILDING INSPECTOR**

Mr. Monaco reported:

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- Eighteen (18) residential inspections
- Five (5) point of sale inspections
- Five (5) title transfers:
  1. 5152 W 6<sup>th</sup>
  2. 5179 W. 6<sup>th</sup>
  3. 5150 W. 5<sup>th</sup>
  4. 340 Tuxedo Ave
  5. 611 Tuxedo Ave.
- There is a total renovation inside and out of 360 Tuxedo Avenue
- Two (2) homes under construction on Marko Lane
- One (1) home at 33 Marko Lane undergoing some renovations
- Responded to nineteen (19) residential complaints
- Twelve (12) commercial inspection
  1. 1277 E. Schaaf Rd – under construction
  2. 4545 Spring Road – Cook Paving
  3. 600 W. Resource – Viatch
  4. 981 Keynote Circle – Joy Global
  5. 1400 Valley Belt Rd – North Shore Strapping

### ENGINEER

Mr. Henry reported:

- Bancroft is being worked on and should be done by Christmas
- 826 E. Schaaf Road lead remediation sample came back good. The work is moving along. Solar Testing will make the final certification to finalize the grant. As soon as the letter is received the sign will come down.
- We will apply to The Cuyahoga County Department of Development for a grant that will allow us to purchase a multi-passenger van to be used by the Community Services Department.
- Mr. Henry explained the need for Ordinance 95-2016 to council.
- We received a letter from Ohio EPA regarding Kurtz Brothers (at the end of Valley Belt) discharging into the Cuyahoga River. They are a C & D Landfill and need a construction permit.  
*Note: See attached letters*
- NOACA asked us to provide a long range (ten year) plan for county routes and what our plan is to do improvements and to apply for grants. The plan would include programmable traffic signals to notify drivers of an oncoming emergency vehicle.
- The Village did not qualify for the Cleveland Water Dept. grant to replace 8<sup>th</sup> Street. We will try again in the Spring.
- The Board of Health needs a response by Dec. 16<sup>th</sup> for the Storm water Phase 2.
- The dirt on the street on Dorset is under control.

### CORRESPONDENCE

- The NOACA dues have been paid.
- **MOTION: Mr. Lahiff moves to waive the fee for the Community Center for the CH After-Prom Committee on November 13, 2016 and December 11, 2016. Second by Mr. Foote Motion carried 5-0**
- The Ohio Municipal League formed a partnership with "Efficient Gov." to look at collaborations. The annual fee is \$50 for grant finding. Mayor Procuik will sign us up for this.
- The Manney Rock dump was purchased from the state for \$23,000 on sheriff's auction. It will be up to the EPA to enforce the rules.



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- Received a letter from the After-Prom committee requesting the use of our big bus as transportation to Kalahari on May 12<sup>th</sup> and to Cedar Point on May 21<sup>st</sup>.
- CHS meeting on Dec. 14<sup>th</sup> to discuss Open Enrollment. Mayor Trevor Elkins from Newburgh will be there for the discussion.
- Superintendent Evans invited the elected officials to an event to showcase the "Lead the Way Lab" at the Middle School on December 15<sup>th</sup> at 11 am.

### MAYOR'S COURT

Income for November	\$ 8,596.00
State of Ohio	( 984.00)
Indigent Driver & Alcohol	( 36.00)
Reg. Enterprise Data Sharing System	( 118.00)
BROOKLYN HEIGHTS	\$ 7,458.00

### MAYOR'S REPORT

- Mayor Procuik reported that we are operating at 5.2% of a very stringent budget. Our R.I.T.A. collection is at \$609,000 with one more deposit to be made which is up 14.27%. Council moved \$125,000 from the General Fund to the Capital Improvement Fund and it looks like our 2017 beginning General Fund will be over \$1 million. Things are looking good.

**MOTION: Mr. Walsh moved to pay Baldwin Group up to \$3.000 for the software for Mayor's Court. Second by Mr. Lasky. Motion carried 5-0**

- Mayor Procuik participated in the Cuyahoga Valley Chamber of Commerce State of the Cities address.
- Mayor Procuik negotiated a new Union Eye Care contract for three (3) years and a two (2) year option at no increase in the cost.
- There will be a council meeting on Dec. 20<sup>th</sup> at 7pm to clear up any unfinished business for 2016.
- Mayor Procuik attended the Division 8 meeting at CVCC
- Attended the NOPEC meeting – there is an electrical deal until August.
- Mayor Procuik told council that he excused any employee with pay if they bought a ticket and attended the CHS championship football game in Columbus. Employees who did not attend were given permission to find a TV showing the game as long as the village was not compromised. There was a watch party at the home of Thea Guilfoyle. Twenty-six residents traveled to Columbus on both busses. Jennifer Presot said 22 members of her 1987 graduating class were in attendance as well as alumni from other years.
- Asked council to go into executive session tonight to discuss Personnel issues (negotiations) and Worker's Comp.
- He introduced George Sedlak who will take Jennifer Presots position on the ARB.

### ORDINANCES & RESOLUTIONS

**ORDINANCE 89-2016- AN ORDINANCE REPEALING SECTION 1068.15 OF THE CODIFIED ORDINANCE OF THE VILLAGE OF BROOKLYN HEIGHTS (Section 1068.15 currently prohibits dogs from the Village's parks.)**

**Sponsor: Mr. Lasky**

**Second: Mr. Lahiff**

**Yeas: Lasky, Lahiff**

**Nays: Walsh, Foote, Black**

**Ordinance 89-2016 is defeated 3-0**

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ORDINANCE 93-2016 - AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO HIGH INTENSITY DRUG TRAFFICKING AREA (OHIO HIDTA) TO SERVE AS FIDUCIARY FOR FEDERAL FUNDS

Sponsor: Mr. Foote

Second: Mr. Black

Yeas: Foote, Black, Lahiff, Lasky, Walsh

Nays: None

Ordinance 93-2016 is adopted 5-0

ORDINANCE 94-2016 - AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/ OR CLERK/TREASURER OF BROOKLYN HEIGHTS TO PROVIDE MATCHING FUNDS IN THE AMOUNT OF FIVE THOUSAND DOLLARS PER YEAR FOR THREE YEARS IN SUPPORT OF THE WEST CREEK PRESERVATION COMMITTEE'S APPLICATION TO THE OHIO WATERSHED COORDINATOR GRANT PROGRAM TO CONTINUE THE FUNDING OF THE FULL TIME WATERSHED COORDINATOR

Sponsor: Mr. Foote

Second: Mr. Black

Yeas: Foote, Black, Lahiff, Walsh, Lasky

Nays: None

Ordinance 94-2016 is adopted 5-0

ORDINANCE 95 -2016- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY SOIL & WATER CONSERVATION DISTRICT FOR MINIMUM CONTROL MEASURERS 1 AND 2

Sponsor: Mr. Foote

Second: Mr. Walsh

Yeas: Foote, Walsh, Lasky, Black, Lahiff

Nays: None

Ordinance 95-2016 is adopted 5-0

ORDINANCE 96 -2016- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE VILLAGE OF BROOKLYN HEIGHTS AND THE FRATERNAL ORDER OF POLICE, LODGE NO. 67 FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2019

Sponsor: Walsh

Second: Black

Yeas: Walsh, Black, Lasky, Lahiff, Foote

Nays: None

Ordinance 96-2016 is adopted 5-0

ORDINANCE 97 -2016- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF CUYAHOGA, OHIO AND THE VILLAGE OF BROOKLYN HEIGHTS

*MOTION TO WITHDRAW*

Sponsor: Mr. Foote

Second: Mr. Lahiff

Yeas: Foote, Lahiff, Lasky, Black, Walsh

Nays: None

Ordinance 97-2016 is withdrawn 5-0

ORDINANCE 98-2016 – DECEMBER PAY ORDINANCE

Sponsor: Mr. Lahiff

Second: Mr. Foote

Yeas: Lahiff, Foote, Black, Lasky, Walsh

Nays: None

Ordinance 98-2016 is adopted 5-0

RESOLUTION 18-2016- AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO MAKE AN APPLICATION TO THE

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**CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT, COMMUNITY DEVELOPMENT DIVISION FOR FUNDS UNDER THE 2016 SUPPLEMENTAL MUNICIPAL GRANT PROGRAM FOR THE FUNDING OF A CERTAIN CAPITAL EXPENDITURE**

**Sponsor: All of Council**

**Second: Mr. Walsh**

**Yeas: Walsh, Lasky, Lahiff, Foote, Black**

**Nays: None**

**Resolution 18-2016 is adopted 5-0**

**MR. BLACK MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS A WORKER'S COMP MATTER AND THE FIREFIGHTERS AND ALL EMPLOYEES NEGOTIATIONS. SECOND BY MR. LAHIFF.**

**Yeas: Black, Lahiff, Foote, Lasky, Walsh**

**Nays: None**

**Motion carried 5-0**

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

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer