

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD September 3, 2013 20       

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on **September 3, 2013** 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, Cichocki, Foote, 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 from the special meetings held on Nov. 13, 2012, Nov. 27, 2012 and Dec. 18, 2012. Second by Mr. Foote Motion passed 7-0**

### CORRESPONDENCE

Mayor Procuk read a note from Nancy Hatgas thanking the administration and employees for the flowers and their support through her recent hospitalization.

Mayor Procuk read a thank you note from the CEO's of both Parma Hospital and University Hospital for our continued support. Their plan is to help grow Parma Hospital.

Mayor Procuk read an email sent to Mr. Hatgas from David Hughes of the Board of Elections. He thanked the village for the repairs to the Community Center parking lot and said that we are now ADA compliant.

Mayor Procuk read a request from Irene Jones of Josiah House and Gary Foote, President of the Foote Cemetery Association to waive the fee to use the Community Center.

**MOTION: Mr. Cichocki moved to waive the fee for the Community Center for Josiah House Social Dance Event on Sept 27, 2013. Second by Mrs. Presot Motion passed 7-0**

**MOTION: Mrs. Presot moved to waive the fee for the Community Center for the Foote Family Cemetery Association annual meeting and election on Sept. 8, 2013. Second by Mr. Black Motion passed 6-0 Mr. Foote abstained**

Weltman, Weinberg and Reis requested the use of a park pavilion for a Team Building seminar and asked that the pavilion fee be waived.

**MOTION: Mr. Lahiff moved to waive the pavilion rental fee for Weltman, Weinberg and Reis for Sept. 6, 2013. Second by Mrs. Presot Motion passed 7-0**

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### AUDIENCE

Mr. Andy Pech of Marko Lane said that there seems to be some misunderstanding regarding the closure of Schaaf Road for the 5K /1 mile walk on October 12<sup>th</sup> and asked that the residents in the area be informed as to the time it will be shut down.

Mayor Procuk responded that this is a Park Board event with the cooperation of the village administration. He feels a good window for advertising this to the Schaaf Road residents and businesses is about six weeks and it was announced on the last agenda and in the last Breeze. We will continue to get the word out via these mediums and he will also mail a letter to each resident and business along the route. We will also utilize the portable marquee at the corner of Tuxedo and Schaaf.

When asked why only one lane can't be shut down, Chief Lasky and Chief Algeri both responded that it would take more manpower to ensure the safety of the runners if they allowed traffic to flow along one lane.

Mayor Procuk reiterated that it is only 90 minutes and we will work to provide a viable solution for those who must leave their homes during the race. The closure would be from 8:30 am to 10:00 am.

### BUILDING INSPECTOR

Mr. Socoloff said he has tried three times to speak to the pastor from the Calvary Church regarding the building use at 709 Brookpark Road without results.

There is an inside expansion going on at 600 Resource Dr.

The 2,000 gallon diesel tank has been installed at Kaiser and residential point of sales inspections has increased.

He said the building department is quite busy.

### ENGINEER

Mr. Henry said that the Resource Drive project is progressing as is the Granger Road project and they are still hoping for an October finish.

He called a Streets meeting for September 24<sup>th</sup> at 6pm. (*Laughter and other talking blurred out Mr. Henry's reason for calling the meeting.*)

### POLICE CHIEF

Chief Algeri asked for a motion to pay Bedford Hts. for twenty-six days and housing four prisoners for August.

**MOTION: Mrs. Presot moved to pay Bedford Hts. Jail \$1,950 for August. Second by Mr. Selig**  
**Motion passed 7-0**

Chief Algeri asked permission to move forward with the property room bar-coding system thru TACH and the information would go directly into our reporting program. The cost is \$3,129. Chief Algeri had \$2,500 budgeted for this but he also had \$5,000 budgeted for the copier and only spent \$3,850 so there are some funds he could move. He also said that Clerk-Treasurer Clymer said there are some restricted funds that could be used since it is for evidence management.

**MOTION: Mr. Cichocki moved to pay \$3,129 for the bar-coding system for evidence management.**  
**Second by Mr. Walsh Motion passed 7-0**

Chief Algeri read a letter that he wrote to Mayor Procuk stating that on September 4, 2013, Christopher Leahy and David Jablonski will have successfully completed their probationary period of one year with the



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Brooklyn Heights Police Department. He recommends that they continue in the rank of patrolman and their appointment to the Brooklyn Heights Police Department be deemed final.

Chief Algeri stated that the department has completed the promotional testing and the assessments and it will take approximately one week to complete the reports. There were four assessments done; two for lieutenant and 2 for sergeant.

### SERVICE DIRECTOR

Mr. Hatgas reported that six employees of Cargill Salt volunteered one week of time to the village to fulfill Cargill's requirement of volunteer work. Two were residents, Mike Stepka and Jason Meadwell. This is the third year we have benefited from this project. They swept streets and painted house numbers on the curbs.

The concession stand was broken into on August 27<sup>th</sup> and the new scoreboard controller was stolen and the roll-up door was damaged.

**MOTION: Mr. Black moved to pay Action Door \$1,031 for repairs to the roll-up door on the concession stand. Second by Mr. Walsh Motion passed 7-0**

Robert Pesta will be doing an Eagle Scout project in the park before the end of the year. The project has to go before the Eagle Board of Review for approval.

Mr. Cichocki asked if there is any connection between the vandalism and the tipping of the picnic tables. No one can answer that. Mr. Pech said that when he and Joe Presot were renovating the concession stand several years ago, he laid four pieces of copper pipe in front of the open door and when he turned his back they were stolen and he was inside the building.

### FIRE CHIEF

Chief Lasky reported that the Safety Committee approved \$9,500 for a new gator and he has four communities interested in sharing the cost with an additional two communities thinking about it. Mrs. Presot asked which communities and Chief Lasky answered: Independence, Broadview Hts., Brecksville, Newburgh Hts and Brooklyn Hts. The two contemplating are Valley View and Seven Hills. He said Cuyahoga Hts. is not interested at all.

Mayor Procuik told council that the gator would be housed in Brooklyn Hts and shared as needed with the other communities.

### COMMUNITY SERVICES

Mrs. Guilfoyle said that the bus rental project is ready to roll and the Cuyahoga Hts. Pre-K transportation is going smoothly.

The blood drive netted fifteen pints of blood and our goal was sixteen pints.

The website will be ready to launch on September 24<sup>th</sup>.

Project Hope filled fourteen "back to school backpacks" which assisted six families.

Mrs. Guilfoyle will begin getting the bids on snow plowing for the upcoming season.

Mrs. Guilfoyle said that the department is in need of a third cell phone. We have three drivers on the road daily and the department only has two cell phones. An option would be to pay one of the drivers a stipend to use her personal phone. Mayor Procuik asked Chief Lasky to get a cost to add another phone to our plan and council would then make a decision as to which option to take.

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### RECREATION DIRECTOR

Mr. Presot said that Smurf soccer practice will begin this week and the older kids games begin on Saturday, Sept. 7<sup>th</sup>.

Mayor Procuik commended Mr. Presot on coaching the U8 team. Mr. Presot said that none of the parents are willing to do it mostly because they don't really understand the game.

### LAW DIRECTOR

No Report

### CLERK/TREASURER

Mr. Clymer reported that the general fund is up \$37,841.38 for the month of August giving the village a balance of \$1,797,175.98 in the general fund.

### ECONOMIC DEVELOPMENT

*See attached report*

### MAYOR'S COURT

No report at this time

### MAYOR'S REPORT

Mayor Procuik reported that he stopped in at the Senior Social today and was questioned about the deplorable conditions on North Street and the chuck hole in front of the Herzog residence on North. They also asked about the flowering crabapple trees on Tuxedo. Mayor Procuik said that Jason Knowles, our arborist, said that a combination of last year's drought and this year's apple scab is affecting the trees. He stated to leave them alone and they should come back next year.

Mayor Procuik read a letter regarding the trees in the village from Jason Knowles. *Please see the attached letter.*

A note was received from Ms. Witschie at Cuyahoga Hts regarding the homecoming parade on September 20<sup>th</sup>. She asked if our police or fire would like to participate.

The Elks have some funds left in their Elks Community Service Grant and asked if the police or fire had made any purchase that may be reimbursable up to \$750.

On Sept. 18, 2013 Cuyahoga Hts. Schools will host the "Welcome Back to School Dinner" for the senior citizens.

The Cuyahoga County Solid Waste District has invited us to tour our refuse company (Kimble). They will transport from the Garfield Hts. location to Kimble in Twinsburg for a tour and lunch. Council must RSVP to Kari by September 20<sup>th</sup> if they would like to attend. The date is October 2, 2013.

**MOTION: Mr. Black moved to pay Roger A Sauer's Co. for an appraisal of our industrial land on Valley Belt Parkway (Amser Dump) not to exceed \$2,400. Second by Mr. Cichocki Motion passed 7-0**

Mayor Procuik announced that he was appointed to the Cuyahoga County Natural Resources Assistance Council (NRAC). The first meeting is September 25<sup>th</sup> and they will be seeking Cleanland Ohio funding.



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Mayor Procuk informed council that he has endorsed the Cleveland Metroparks levy on the upcoming ballot.

Safety Day at CEI will be on Sept. 12<sup>th</sup> at 4 pm and it is a family function.

Mayor Procuk read a letter from Mayor Bacci regarding regional dispatching and then he read a response from some Independence residents regarding a meeting they are holding against regionalization.

***See both letters attached***

### **ORDINANCES & RESOLUTIONS**

#### **ORDINANCE 74-2013- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A CONTRACT WITH EINHEIT ELECTRIC FOR THE HOOK-UP OF THE PORTABLE GENERATOR WHICH THE VILLAGE OWNS**

Sponsor: Mrs. Presot

Second: Mr. Black

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

Nays: None

Ordinance 74-2013 passes 7-0

#### **ORDINANCE 75-2013- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH LINEWEAVER FINANCIAL GROUP TO PROVIDE A 457 PROGRAM DEFERRED COMPENSATION PLAN FOR THE VILLAGE OF BROOKLYN HEIGHTS EMPLOYEES**

Sponsor: Mr. Selig

Second: Mr. Foote

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

Nays: None

Ordinance 75-2013 passes 7-0

#### **ORDINANCE 76-2013 - AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A CONTRACT WITH VALLEY FORD TRUCK, INC. FOR A 2014 F550 4X4 TRUCK FOR USE BY THE BROOKLYN HEIGHTS SERVICE DEPARTMENT**

Sponsor: Mrs. Presot

Second: Mr. Selig

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

Nays: None

Ordinance 76-2013 passes 7-0

#### **ORDINANCE 77-2013 – SEPTEMBER PAY ORDINANCE**

Sponsor: Mr. Walsh

Second: Mr. Black

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

Nays: None

Ordinance 77-2013 passes 7-0

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**RESOLUTION 17-2013 - 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. Foote

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

Nays: None

Resolution 17-2013 is adopted 7-0

**RESOLUTION 18-2013 - 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. Lahiff

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

Nays: None

Resolution 18-2013 is adopted 7-0

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

Yeas: All

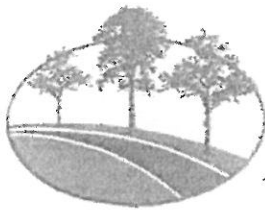
Meeting adjourned.



Mayor



Clerk/Treasurer



September 3, 2013

Mr. Ed Hatgas  
Service Director  
Village of Brooklyn Heights  
233 Tuxedo Avenue  
Brooklyn Heights, Ohio 44131

Dear Mr. Hatgas,

Please accept this report as a summary of the tree issues we inspected on August 7<sup>th</sup>, 2013. After surveying trees throughout the Village, the following observations were made:

#### Shady Ridge Oaks

Some of the pin oaks (*Quercus palustris*) on Shady Ridge are rapidly declining. These trees have been in decline for several years and seem to be finally giving up. The root collars have been excavated and the soils have been tested and they are still in decline. My best diagnosis at this point is that they have run out of acceptable soil space. There appears to be a shallow hardpan layer in this area that will limit the growth of deep rooted trees. Future plantings should consider alternative species and/or soil improvements.



Trees at the following addresses should be removed and replaced:

255 E Schaaf, 5005 Shady Ridge, 5110 Shady Ridge

I would recommend a Highland Park Bigtooth Maple (*Acer grandidentatum* x *saccharum* 'Hipzam') as a suitable replacement.

#### West 5<sup>th</sup> Planting Site

There is a vacant planting site at 5161 West 5<sup>th</sup>. I understand the resident would like to have a tree planted here. I would recommend a Brandywine Red Maple (*Acer rubrum* 'Brandywine') or similar upright species for this site.

#### Galway Circle Planting

The Crimson King Norway maples on Galway Cr. are struggling. I would like to use a new similar variety called Crimson Sunset Maple (*Acer truncatum* x *Acer platanoides* 'JFS-KW202'). This variety should be more urban tolerant and perform better.

**Miscellaneous Tree Removals**

The following is a list of trees in poor condition which need removed:

Diamond 2 West 4 <sup>th</sup> St	Scotch pine dying from pine wilt nematode
5171 West 6 <sup>th</sup> St	Dying Norway maple needs removed
5151 West 8 <sup>th</sup> St	Declining Red maple needs removed
2841 Belmont	Diseased crabapple needs removed

**Trunk Protectors**

The Village should install trunk protectors on all newly installed trees and on young species with soft bark. I recommend a 36" black mesh type of trunk protector that is rather inconspicuous and will not harbor insects or excessive moisture. They can be purchased through A.M. Leonard at:

<http://www.amleo.com/product.aspx?p=VP-BG>

The urban forest is an integral part of the Village of Brooklyn Heights. The residents and Village officials have taken and should continue to take great pride in this asset to the community. The Village has proceeded to improve on the maintenance, planning, planting and protection of its urban forest. I look forward to being a part of the continued progress of this program.

Sincerely,



Jason Knowles  
Consulting Forester  
ISA Certified Arborist/Municipal Specialist  
#PD-0438AM





## Village of Cuyahoga Heights

4863 EAST 71ST STREET  
CUYAHOGA HEIGHTS, OHIO 44125  
(216) 641-7020  
FAX: (216) 641-8485

August 29, 2013

Mayor Gregory P. Kurtz  
City of Independence  
6800 Brecksville Road  
Independence, OH 44131

**Re: *Creation of a Council of Governments (cleveland.com article)***

Dear Mayor Kurtz,

This letter is a follow-up to our many conversations over the last several years clarifying my position as it relates to forming a COG.

As you know, each community in our region shares the same goal of ensuring the safety of its citizens, businesses, and visitors. This goal is more challenging than ever, given the changes in our national and local economies. Combining resources and incorporating the principals of regionalism not only strengthens the bond between our communities, it makes good fiscal sense.

The Cuyahoga Heights Dispatch Center is a state-of-the-art facility that currently provides superior emergency dispatch services for police, fire, and EMS to four (4) communities: Cuyahoga Heights, Valley View, Brooklyn Heights, and most recently Newburgh Heights. While this collaboration has proven cost effective and efficient, we all have the same vision of expanding our regional relationships and increasing our economies of scale to continue to provide service excellence while increasing cost savings.

Thus, we support a collaboration between the communities currently served by the Cuyahoga Heights Dispatch Center as well as Independence and Brecksville, through the creation of the "Central Cuyahoga County" or the "Cuyahoga Valley" (pick a name) Council of Governments (COG), for the purpose of providing 24/7/365 dispatch services for police, fire and EMS for our communities.

In this partnership between our six (6) communities, each community will have an equal voice along with an equal share of the benefits and financial responsibilities for the creation, operation and management of a Regional Dispatch Center, which will utilize the assets and location of the current Cuyahoga Heights dispatch facility. Operating as an independent political subdivision, the COG will hire an administrator, who will run the day-to-day operations of the Dispatch Center, and will directly employ the Dispatch Center staff.

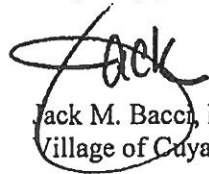
August 29, 2013

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Undoubtedly, the streamlining of services for our communities and the economies of scale that the power of six can bring will no doubt add value to this public service and great cost savings to our municipalities. The COG would be in a better position than individual municipalities to seek grants and other funding sources and negotiate service agreements with other governmental agencies or private entities for services. Further, the COG could also explore cooperative arrangements for other municipal services in the future when deemed prudent and economical by the communities.

The formation of a COG will surely serve both the safety interests of our citizens and businesses and the fiscal interests of each community. As I've stated in past correspondence, I am asking that we plan for our collective futures – *before someone else decides what may be "best" for us*. Please let me know when we can meet to more fully discuss this new venture.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jack", is written over a circular stamp or seal.

Jack M. Bacci, Mayor/Safety Director  
Village of Cuyahoga Heights

JMB:las

cc: Mayor Trevor Elkins  
Mayor Jerry Piasecki  
Mayor Michael Prochuk  
Dispatch Supervisor Cash

7281 Pleasantwood Drive  
Independence, OH 44131

August 22, 2013

Dear Mayor,

Please join us for a special forum entitled, "Citizens' Sovereignty Versus Regionalism Forum." This program will be held on September 11, 2013, from 7-9pm at the Independence Civic Center, 6363 Selig Drive, Independence, OH, 44131. In addition to 1200 elected officials we have invited, we anticipate that several hundred constituents from the 12-county region will be attending. Since space is limited, please RSVP to [www.DavidFrost.org](http://www.DavidFrost.org) as soon as possible.

"Regionalism" is a concept that has been floated across America for many years. In a nutshell, regionalism promotes the building-up and sustaining of the core city, e.g., Cleveland, Akron, Canton, and Youngstown, at the expense of suburbanites and adjoining counties. The predetermined agenda dictated by this proposed regional plan will work to undermine your authority to represent your constituents. Since this regional plan of sustainable development will impact your community, we believe it is vital for you to be informed.

The plan is being touted by the Northeast Ohio Areawide Coordinating Agency (NOACA), a metropolitan planning organization. They are working closely with the Northeast Ohio Sustainable Communities Consortium (NEOSCC), a collaboration of 33 member organizations –governmental, NGOs, and private stakeholders who will all benefit from this plan. Their goal is to rein in development by preventing new housing, roadways and infrastructure as well as controlling water rights on private property outside of large cities. NEOSCC adamantly claims that continuing development outside of urban areas is extremely expensive to maintain, socially inequitable and environmentally unsound. Their entire planning process is funded by a \$4.25 million grant from Housing and Urban Development (HUD), the Department of Transportation and the Environmental Protection Agency.

Those of us who have attended NEOSCC workshops find them to be less than truthful. Since there are over 4 million residents who reside in these 12 counties, and only 589 (0.015%, mostly stakeholders) self-selected individuals have participated in the workshops, we have significant concerns regarding the statistical validity of the input. Although NEOSCC has stated they want input from the public, they have almost entirely limited our ability to respond to their plan in a meaningful way.

We look forward to seeing you at the forum.

Sincerely,

Loisirene Bernhardt, Independence/Cuyahoga County  
David A. Frost, Medina/Medina County  
Patricia Gascoyne-Telishak, Parma/ Cuyahoga County  
Beverly A. Goldstein, Beachwood/Cuyahoga County  
Kirsten Hill, Amherst/Lorain County