

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD May 5, 2020 20    

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on May 5, 2020 at 7:30 P.M. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:	Councilmen:	Blados, Lahiff, Lasky, Presot & Walsh
	Mayor:	Procuk
	Clerk/Treasurer:	Frank
	Law Director:	Dowling
	Engineer:	Henry
	Police Chief:	Meade
	Fire Chief:	Stefanko
	Asst. Fire Chief:	Lasky
	Service Director:	Hatgas
	Bldg. Commissioner:	
	Asst. Bldg. Comm.:	Sonenstein
	Comm. Service Dir.:	Guilfoyle
	Recreation Dir.:	Kryznowek
	Soccer Dir.:	Shadd
	Zoning Board of Appeals:	Pfenninger

### CORRESPONDENCE

- 2020 Tree City USA ceremony scheduled for June 17<sup>th</sup> has been cancelled. The 2021 Tree City USA ceremony will be held on June 10, 2021 in Richfield.
- Brooklyn Height Drive-By Celebrations will be done by reservation only to Community Services office. The flyer is attached and will be posted on social media.

### AUDIENCE

Allen Pfenninger, BZA Chairman: this is the first time in twenty years on the board that he feels compelled to speak before council regarding a BZA decision.

- He would encourage council to support the BZA unanimous decision of last Monday to reject the request for a variance regarding a trucking repair/maintenance facility on Van Epps Road.
- He further requests that council provide the Brooklyn Heights Building Department with the latitude it needs to allow either removal of the buildings in question for this owner on his Van Epps properties or issue the sanction that the building department requests.
- This is the latest of three requests this applicant has made over the last year for variances. He fails to meet deadlines on repairs and continues to offer (what he considers) outlandish excuses as to his failures.
- The individual in question has been given ample opportunities (twice) to repair the buildings and has not lived up to his promises. He seems to think the promises are not etched in stone and that the BZA will forgive about them but Mr. Pfenninger assured council that they don't forget.
- They consistently hear that "life gets in the way" as his excuse and Mr. Pfenninger wondered if he buys that excuse when one of his tenants is late with their rent.
- Mr. Pfenninger has been accused of not likely this individual but it is not their job to like or dislike an applicant but it is much easier to like someone when they keep their promises.
- His most recent excuse for not having done the repairs by the deadline of January 15, 2020 is COVID-19. FACT: the first COVID-19 screening in the USA was January 17<sup>th</sup> and the first US reported positive was January 21, 2020. These dates fall well after he should have begun the repairs back in the summer or fall of 2019 and two days after the repairs should have been

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- completed.
- Mr. Pfenninger closed by reiterating the request for council's support for the BZA's decision.

### POLICE CHIEF

- The final interview was completed with the three (3) new part-time police officers. They were sworn in on Monday, May 4, 2020. They will work one shift with an FTO and then begin filling open shifts.
  - Jeremy Grabowski – 14-year veteran with Cuyahoga Hts. Police
  - Victor Hakes II – 6-year veteran with Valley View Police and in the Marine Reserves
  - Jack Pietraszkiewicz – 8-year veteran with Valley View Police
- Park Security is scheduled to begin work Memorial Day weekend.
- North Royalton jail will close at midnight May 31, 2020. Chief Meade has contacted Solon Jail (with whom we have a mutual aid agreement signed by Chief Algeri). Chief Meade will sign a new agreement with Solon. He will also enter into an agreement with Strongsville Jail whose pricing was within a couple of dollars of North Royalton and with Brooklyn jail (pricing a little higher) as an emergency back-up.
- Asst. Chief Lasky spoke with Parma Police Chief Bobek and was told that Parma will accept outside departments for their jail also. Chief Meade will phone him in the morning.
- We will be hiring for Park Specials and all specials will be trained to use AED's.

### FIRE CHIEF

- We are continuing to work through the COVID-19 pandemic with UH Med Center, Cuyahoga County Board of Health, Cuyahoga County Chiefs Association, Board of Pharmacy and Ohio Department of Public Safety.
- Currently have enough PPE to get us through the next 8 months.
- UH Parma will inform us if we have transported a COVID patient but we get no feedback from Cleveland Clinic or Metro Health.
- **Update from UH PMC Medical Control this is just UH Parma information.**
  - 2 new COVID's admitted (1 by squad, 1 private vehicle)
  - 8 total positives in house
  - 71 year to dates admitted/treated
  - 11 deaths
  - 0 COVID-19 Patients currently on ventilators
  - 21 were tested in the last 24 hours, testing is becoming more available at hospital that is the reason for jump.
- Brooklyn Hts. Fire will apply for an AFG grant with Cuyahoga County for PPE supplies. Our cost would be \$69 for a six-month supply.
- We received 20 SCBA units, 33 masks, 2 RIT packs and 40 bottles with the SCBA FEMA grant.
- A new ordinance will be written to use as back-up for the State and Federal auditors.
- Parma Fire Chief Lasky said that the grant for new radios will be run through Parma and they will pay the shares for Brooklyn Heights, Seven Hills, Broadview Heights and Parma and the county will cut one check to Parma as reimbursement.

### SERVICE DIRECTOR

- **MOTION: Mrs. Presot moved to pay the State of Ohio UST Fund \$1,650 annual renewal fee for the underground storage tanks at 233 Tuxedo Ave. Second by Mr. Walsh Motion carried 5-0**
- Salt prices for 2020-2021 winter season will be \$63.41 a ton.
- Shred-it Day yielded 5,360# at a cost of \$450 to be reimbursed by the County Solid Waste District Recycling Grant

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- The Tuxedo water repair paving should be completed by week's end weather permitting. Mr. Hatgas will call NOCE for clean-up.
- Mr. Hatgas and Mr. Presot will work together to figure out the cost of the island beautification and then seek Island Sponsorship from the Service Clubs.

### COMMUNITY SERVICES

- Donations were made to Project Hope via the Shred-it Day in the amount of \$225 and paper products.
- There are 47 senior homes signed up for Senior Grass Cutting. Mrs. Guilfoyle has had several phone calls and compliments on the program and she has passed them along to Mr. Hatgas and Mayor Procuik.
- Resident Linda Neyman has been sewing face masks for the Face Mask Program. She has made over 80 masks. The masks are delivered when requested.
- The Drive by Celebration program has 3 requests since it was initiated on Friday. Mr. Lasky asked if there could be a Drive by Parade throughout the village on Mother's Day May 10<sup>th</sup> to honor all the mothers. This will be done at 7:30 pm.
- A decision regarding The Art-in-the-Park grant money from the Cultural Arts program must be made by June 3<sup>rd</sup> as to whether it will be used or deferred to the 2021 program.
- Mayor Procuik said that there may be a Drive by Parade for Older Americans Month since we will not be holding the luncheon this year.
- Mayor Procuik spoke with Mr. Frank Gullitz regarding his driveway situation from the Senior Snow Plow program this past year.

### ENGINEER

- The Lancaster Road bridge restoration is completed at no cost to the village (paid for by NEORSD).
- They will open bid proposals on Friday, May 8<sup>th</sup> for the removal of the skating rink. He would like to have an ordinance on May 19<sup>th</sup> that would allow us to award the contract to the lowest bidder.
- Would like an ADHOC Park Committee meeting on May 12, 2020 to discuss the ODNR "Clean Ohio for Park Improvement" application which is due on June 1<sup>st</sup>. Mr. Blados called the meeting for May 12<sup>th</sup> at 6:30 pm.

### BUILDING DEPARTMENT

- Conducted several Point of Sale inspections
- Attended the BZA meeting on April 27<sup>th</sup>.
- National Weather Service is moving along nicely
- 1250 Granger is moving along and they will be applying for their Occupancy Permit
- The nut company on Valley Belt is progressing.
- 1052 E. Schaaf Rd took down the garage that was on the side property, leveled and seeded it.
- 613 Tuxedo restoration is just about complete and it will be put up for sale
- There is a new sign company moving in on Hayes Dr. behind Brilliant Sign.

### RECREATION DIRECTOR

- The Ohio Department of Health sent out a letter prohibiting the use of any school property (fields) through June 30, 2020. Nordonia has pulled out of the summer rec league for this year.
- Brooklyn Heights is still holding out hope for a shortened season because 4 weeks of baseball is better than NO weeks of baseball.

### SOCCER

- There was no Spring season. He is hoping there will be a Fall season with practices in August and games played after Labor Day.

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- Mr. Shadd would still like to hold a camp in June or July but it depends on what the Governor says.
- The Spring uniforms were ordered and he has not picked them up from Adler's nor are they paid for yet.
- All Spring sign-ups will roll-over to the fall program.
- Players who did not sign up for Spring must sign-up for Fall but Spring sign-ups do not.
- Any player who paid the Spring session fee and will not play in the fall can call the Community Services department to ask for a refund. The Information is posted on the SI website.
- Any questions please call Narlin Shadd.
- The Elk's Soccer Shoot-out has been cancelled for the Spring and they are not certain if they will hold one in the Fall.

### LAW DIRECTOR

- Working on three (3) new Job Creation Grant Agreements.
  - American Nut – working on their buildout
  - Rathbone – awaiting Occupancy Permit
  - One to remain nameless currently.

### CLERK / TREASURER

- April is not closed out as of today.
- Paid the VNA from the Incentive Fund (Revenue Sharing) \$173,000 for the year.
- After paying the VNA there is about \$6,000 in the account. Mr. Frank recommends putting \$45,000 per month into the Revenue Sharing account because at this time next year we will also be paying NIDEC.
- Paid out of the Retiree Fund \$106,000. We will need about \$60,000 by the end of this year in that account.
- The April RITA drop on May 1, 2020 was \$460,142

### MAYOR'S COURT

• Income for March	\$ 2,088.20
• State of Ohio	( 292.50)
• Indigent Driver & Alcohol	( 10.50)
• Reg. Enterprise Data Sharing System	( 35.00)
• BROOKLYN HEIGHTS	\$ 1,750.20

### MAYOR'S REPORT

- The Stay at Home order is in effect until May 29, 2020
- Has a conference call on Wed. May 6<sup>th</sup> with Mayor Bacci and Mayor Piasecki to discuss the school activities/celebrations and how we can assist them.
- Memorial Day parades are cancelled.
- The Mayor's and Manager's Assn. met and sent a letter of support to State Senator Matt Dolan who is spearheading the Federal Cares Money of \$350 million that is to be passed through to the townships, cities and counties and encouraged them to use the local government fund distribution. Those funds won't help Brooklyn Heights much but are important to the other local governments.

### COMMITTEE REPORTS

- SAFETY COMMITTEE met last week to discuss new vehicles for the Police Department. The ordinance is on tonight's agenda  
*NOTE: The village received a check from the Bureau of Worker's Compensation in the amount of \$71,000 as part of the state distribution to be used for safety of employees and residents.*

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Mayor Procuik encouraged council to possibly use this money towards that end.

- Mr. Blados called a PARK AD HOC meeting for Tuesday, May 12, 2020 at 6:30 (virtual)

### ORDINANCES & RESOLUTIONS

**Ordinance 23-2020-EMERGENCY ORDINANCE AMENDING THE ORDINANCE ENACTING UNCODIFIED REGULATIONS WITH RESPECT TO EMPLOYEE PAY AND FRINGE BENEFITS AND PUBLIC MEETINGS IN ORDER TO RESPOND TO THE 2020 COVID-19 CORONAVIRUS PANDEMIC**

Sponsor: Mr. Walsh

Second: Mr. Lahiff

Yeas: Walsh, Lahiff, Blados, Presot, Lasky

Nays: None

Ordinance 23-2020 is adopted 5-0

**Ordinance 24-2020- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF TWO POLICE VEHICLES**

Sponsor: Mrs. Presot

Second: Mr. Blados

Yeas: Presot, Blados, Lahiff, Lasky, Walsh

Nays: None

Ordinance 24-2020 is adopted 5-0

**Ordinance 25-2020- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO AGREEMENTS TO PURCHASE PROPER EQUIPMENT AND STRIPING FOR TWO NEW POLICE VEHICLES**

Sponsor: Mr. Lasky

Second: Mrs. Presot

Yeas: Lasky, Presot, Lahiff, Blados, Walsh

Nays: None

Ordinance 25-2020 is adopted 5-0

**Ordinance 26-2020- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO ENTER INTO A CONTRACT WITH SELECTIVE INSURANCE COMPANY, HANOVER INSURANCE GROUP, TRAVELERS, CNA INSURANCE GROUP AND HUDSON INSURANCE COMPANY FOR INSURANCE FOR THE VILLAGE OF BROOKLYN HEIGHTS**

Sponsor: Mr. Lahiff

Second: Mr. Blados

Yeas: Lahiff, Blados, Presot, Lasky, Walsh

Nays: None

Ordinance 26-2020 is adopted 5-0

- *NOTE: There is no premium change. This is updating vehicles and drivers Mr. Lasky asked why this is an EMERGENCY ordinance and Mr. Dowling said that the current contract ended on April 30, 2020.*

**Ordinance 27-2020- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH FIRE STORE (WITMER), AND SHUTTLE'S UNIFORMS FOR THE PURCHASE OF FIRE UNIFORMS FOR THE BROOKLYN HEIGHTS FIRE DEPARTMENT**

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Sponsor: Mr. Walsh  
Second: Mr. Lasky  
Yeas: Walsh, Lasky, Lahiff, Blados, Presot  
Nays: None  
Ordinance 27-2020 is adopted 5-0

**Ordinance 28-2020- AN EMERGENCY ORDINANCE AFFIRMING THE DECISION OF THE ZONING BOARD OF APPEALS DENYING THE APPLICATION OF FRED BERNHOFER FOR A VARIANCE ALLOWING A TRUCKING COMPANY TO OPERATE AT 4915 VAN EPPS ROAD, SUITE B**

Sponsor: Mr. Lasky  
Second: Mrs. Presot  
Yeas: Lasky, Presot, Lahiff, Blados, Walsh  
Nays: None  
Ordinance 28-2020 is adopted 5-0

**Ordinance 29-2020- AN EMERGENCY ORDINANCE REVERSING THE DECISION OF THE ZONING BOARD OF APPEALS DENYING THE APPLICATION OF FRED BERNHOFER TO OPERATE A TRUCKING COMPANY IN THE BUILDING AT 4915 VAN EPPS ROAD**

- This ordinance is moot because Ordinance 28-2020 was adopted

**Ordinance 30-2020- MAY PAY ORDINANCE**

Sponsor: Mr. Lahiff  
Second: Mrs. Presot  
Yeas: Lahiff, Presot, Blados, Lasky, Walsh  
Nays: None  
Ordinance 30-2020 is adopted 5-0

- **MOTION: Mr. Lahiff moved to finance the two new police vehicles on a quarterly basis for three (3) years. Second by Mr. Lasky** Motion carried 5-0
- The equipment will be purchased by motions
- Chief Meade stated that the vehicles are on hold and he could have them by the weekend ready to be equipped.

Mrs. Presot asked for a moment of silence in memory of our former police chief Richard Grzelecki.

There being no further business to come before the council, it was moved by Mrs. Presot and seconded by Mr. Blados that the meeting be adjourned.

Yeas: All  
Meeting adjourned.



Mayor



Clerk/Treasurer