

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD May 16, 2023

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on May 16, 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	
Fire Chief	
Asst. Fire Chief	
Service Director	Blados
Bldg. Commissioner	
Asst. Bldg. Comm.	Sonenstein
Comm. Service Director	Guilfoyle
Recreation Director	
Soccer Commissioner	

GUESTS: Numerous Residents

MOTION: Presot moved to approve the May 2, 2023 Regular Council meeting minutes. Seconded by Walsh. Motion carried 5-0.

CORRESPONDENCE / MAYOR PROCUK

- Senator Sherrod Brown requested input from the entire state to give him an idea as to what type of rail infrastructure each town has. Our Engineer wrote a response letter stating that there is one railroad bridge within the Village that is in need of inspection and repair. The bridge crosses over Schaaf Lane which is an important road between the community of Brooklyn Heights and the integral industrial parts of our Village. Many residents and employees utilize this road daily for their commute. The bridge is exhibiting concerning signs of deterioration, including failing concrete exposed, reinforcing and crumbling of existing head walls. The letter was closed by requesting that this bridge be added to his list of items that need to be addressed in order to ensure the safety of our residents and employees.
- He received an email from the Community Services Director asking that employees save and donate a few household items that would normally be discarded or recycled.
- A Schaaf Road resident inquired about the lack of a stop sign and guardrail at the end of Greenview Drive. Engineer Zoldak responded to the letter stating that Greenview is not a dedicated street and, from an engineering standpoint, there is no justification for placing a stop sign. A traffic review would result in the same response but it is possible that the Village code provides separate authority and

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS
MINUTES OF A MEETING

HELD May 16, 2023

justification to provide a stop sign for health and safety reasons. If this were the case it would have to be within the public right of way and out of the private property which is impossible. Secondly the Village cannot install a guardrail in front of 43 East Schaaf Road. A guardrail is only permissible when it is protecting the vehicle and the driver. If guardrail is installed incorrectly and is unwarranted in locations not properly designed with the appropriate recovery zones, the guardrail presents a hazard to drivers.

AUDIENCE COMMENTS

- Bernie Barrett, 51 East Schaaf Road / He inquired if anything can be done to eliminate the debris on Schaaf Road.
- Brian Stopar, 160 Marko Lane / Also inquired about debris on Schaaf Road.
- Jason Berger, 5059 West Sixth Street / Inquired if the Village could enforce Rosby to sweep the streets on a regular basis.
- Casey Gwynn, 602 Tuxedo Avenue / Questioned if the Village owns the buildings on Van Epps and what infrastructure plan we have.
- Maureen Rudd, 348 Little Creek Parkway / She inquired if any of our cameras could assist with enforcing rules for trucks on Schaaf Road.

COMMUNITY SERVICES DEPARTMENT / THEA GUILFOYLE

- A committee meeting was held earlier to discuss membership options to the Seven Hills Rec Center for our senior, disabled and veteran residents. It was decided to research the issue further to subsidize the cost for all residents.

ENGINEER / JENNIFER ZOLDAK

- The Spring Road construction is about half completed and they will be tentatively switching over to the second half at the end of next week. Nothing will change with the detour and it will remain northbound only as they switch to do the other side. They are hoping to complete the project earlier than estimated.
- The Dorset project should start on June 12th but will have the pre-construction meeting next week with A&J to confirm.

LAW DEPARTMENT / JERRY DOWLING

- Less than a year ago, a moratorium was passed on short term rentals. There is a House Bill which has not proceeded and no action has been taken at the state level. He suggests that we extend the moratorium and legislation will be up for consideration at the next Council meeting.

CLERK-TREASURER / AARON FRANK

MOTION: Berzins moved to pay \$1,326.36 to Kehoe Printing for Mayor's Court folders. Seconded by Presot. Motion carried 5-0.

- Recently the loan for the first purchase of Tahoe vehicles for the Police Department was paid off.

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD May 16, 2023

- The ARPA funds received for the Spring Road Project in the amount of \$97,000, was used for the most recent Cook Pavement invoices.
- The SAM (System for Award Management) registration was renewed which allows our Fire Department to go after grant funding.
- He suggests that we temporarily discontinue the \$30,000 transfers in to the 204 Fund due to the account being adequately funded and switch the transfer into our Capital Improvement Fund. One incentive rebate will be paid to one of the businesses for the year and will bring that account down to a balance of \$700,000. It could be reinstated at any time.
- The month of April was closed and we have 2.4 Million in the General Fund.
- He is working with another business that has filed for their annual incentive rebate and it is in the hands of George Single, our tax administrator.
- The ARPA Fund has an approximate balance of \$405,000 which does not include the \$97,000 payment for Spring Road and most of the rest is encumbered for the new bus. Once the bus is received and paid for, the balance will be \$150,000. Legislation will be drawn up for these remaining funds.
- The Capital Fund is at just under one million dollars.
- We are working at just over 1% under budget at this time. There were a lot of significant expenses in the first quarter and we should start operating even more under budget as usual.
- The second RITA drop for May was received and brought us up to \$880,000 which is where we should typically be.

MAYOR'S REPORT / MAYOR PROCUK

- He thanked the audience members for attending the meeting and explained the purpose of the special funds the Clerk/Treasurer was referring to.
- He agrees that the \$30,000 should go into the Capital Fund to continue to do capital projects.
- In response to audience comments, he explained that the Village does not own buildings that are rentable. This is up to the landlords. All buildings in the Village are full and we're land-locked with the exception of 17 acres on Schaaf Road.
- The \$800,000 collected in May brings us up to where we were and believes it is the third highest collection month in our history. We are about a half-million dollars ahead of our expected receipts from RITA through May.
- We are absolutely mirroring last year at this point within \$130! We're ahead of 2020 by \$612,000 and currently under budget by 1.21% despite the large first quarter expenses.
- We received two grants, one is to purchase a new bus and one is toward the Spring Road Project. We had \$25k left over from the bus by purchasing off the lot and the County is allowing us to reallocate those funds toward the elevator project. He requested additional ARPA funding from the County and they agreed to a match. This will give us an additional \$150k and this process is in motion for the County to approve this funding.
- We are cheering for the Denver Nuggets because Ryan Saunders, Flip Saunders's son, is one of the assistant coaches. They won't come for the Upper Park grand opening until his coaching duties are over for the season. At this point, it looks like mid-June for the dedication.
- The Police will handle the honor guard because there is no VFW for our parade.

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD May 16, 2023

- The George Murray FOP lodge has purchased the former VFW hall and are already cleaning it up.

SERVICE DEPARTMENT / JOE BLADOS

- Due to the construction, the Memorial Day Parade will end at the Fire Department.
- There was a scheduling issue with the school soccer fields and he received a call last minute to see if we could help. They made some quick arrangements and got the fields cut and lined and the school was able to hold their games at our fields.
- Tonight the park is full with a t-ball game up top and a coach-pitch game on the lower field.
- He'll be researching on purchasing a street sweeper.

PARKS, PLAYGROUND & COMMUNITY SERVICES COMMITTEE / JENNIFER PRESOT

- A Community Services Committee meeting was held this evening to discuss possible subsidy for residents for the membership at the Seven Hills Rec Center. A follow up meeting is scheduled for June 20th at 7:15 pm.
- A Parks, Playground Committee meeting was also held this evening to discuss the new Upper Park restroom location.

BUILDING COMMITTEE / RAY BERZINS

- The Building Committee met this evening regarding elevator repair at both the Community Center and Municipal Building. The Service Director reviewed quotes and Otis Elevator had the best offer for both buildings. The elevator projects would be scheduled for 2024. The security system was also discussed.

ORDINANCES & RESOLUTIONS

ORDINANCE 43-2023 – MAY PAY ORDINANCE

Sponsor: Walsh

Second: Presot

Yeas: 5 / Nays: 0

Ordinance 43-2023 is adopted 5-0

ORDINANCE 44-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO PARTICIPATE IN THE PURCHASING CONSORTIUM, HEADED UP BY THE CITY OF BRECKSVILLE, FOR THE PURCHASE OF UN-TREATED ROAD SALT FROM CARGILL INC. (CARGILL INC. DEICING TECHNOLOGY)

Sponsor: Tommer

Second: Berzins

Yeas: 5 / Nays: 0

Ordinance 44-2023 is adopted 5-0

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD May 16, 2023

ORDINANCE 45-2023 AN EMERGENCY ORDINANCE APPOINTING GARY SAMERIGO TO THE VILLAGE OF BROOKLYN HEIGHTS ZONING BOARD OF APPEALS

Sponsor: All of Council

Second: Lasky

Yeas: 5 / Nays: 0

Ordinance 45-2023 is adopted 5-0

ORDINANCE 46-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO UTILIZE PURCHASING OR PROCUREMENT COOPERATIVES

Sponsor: Walsh

Second: Berzins

Yeas: 5 / Nays: 0

Ordinance 46-2023 is adopted 5-0

ORDINANCE 47-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO PURCHASE the CXT BATHROOM THROUGH SOURCEWELL COOPERATIVE PURCHASING

Sponsor: Presot

Second: Tommer

Yeas: 5 / Nays: 0

Ordinance 47-2023 is adopted 5-0

ORDINANCE 48-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH OTIS ELEVATOR FOR ELEVATOR REPAIRS IN THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: Berzins

Second: Lasky

Yeas: 5 / Nays: 0

Ordinance 48-2023 is adopted 5-0

RESOLUTION 09-2023 AN EMERGENCY RESOLUTION AUTHORIZING THE ENGINEER TO PREPARE PLANS, SPECIFICATIONS AND AUTHORIZE TO BID THE BROOKLYN HEIGHTS UPPER PARK ADA RESTROOM PROJECT

Sponsor: Tommer

Second: Presot

Yeas: 5 / Nays: 0

Resolution 09-2023 is adopted 5-0

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD May 16, 2023

RESOLUTION 10-2023 A RESOLUTION AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AND SUPPLEMENTAL BLOCK GRANT PROGRAMS FOR THE UPPER PARK ADA RESTROOM

Sponsor: Lasky

Second: Berzins

Yeas: 5 / Nays: 0

Resolution 10-2023 is adopted 5-0

MOTION: Presot moved to go into Executive Session to discuss negotiations. Seconded by Tommer.
Motion carried 5-0.

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