

# **COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS**

## **MINUTES OF A MEETING**

**HELD** \_\_\_\_\_ **December 6, 2022** **20** \_\_\_\_\_

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A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on December 6, 2022 at 7:30 p.m. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time led by Eagle Scouts Luke Berzins and Jacob Casey.

<b>Present at roll call:</b>	<b>Council Members:</b>	Berzins, Blados, Lasky, Presot, Walsh
	<b>Mayor:</b>	Procuk
	<b>Clerk/Treasurer:</b>	Frank
	<b>Law Director:</b>	Dowling
	<b>Assistant Law Director:</b>	
	<b>Engineer:</b>	Henry
	<b>Engineer:</b>	Zoldak
	<b>Police Chief:</b>	Meade
	<b>Fire Chief:</b>	Stefanko
	<b>Asst. Fire Chief</b>	
	<b>Acting Service Dir:</b>	Florjancic
	<b>Bldg. Commissioner:</b>	
	<b>Asst. Bldg. Comm.</b>	Sonenstein
	<b>Comm. Service Dir:</b>	Guilfoyle
	<b>Recreation Dir:</b>	
<b>Soccer Commissioner:</b>	Shadd	
<b>GUESTS:</b>	Ed Stepka	

**MOTION:** Mrs. Presot moved to approve the November 15, 2022 Regular Council meeting minutes and the November 17, 2022 Special Council meeting minutes. Seconded by Mr. Berzins. Motion carried 5-0.

Mayor Procuk introduced Luke Berzins and Jacob Casey who earned the Rank of Eagle Scout through Troop 28. He read a Proclamation for each and both were congratulated by the Mayor and all of Council.

### **CORRESPONDENCE / MAYOR PROCUK**

- Resignation letters were read from Lt. Bryon Borowy and Firefighter Brad Black.
- A memo from Thea Guilfoyle to Rocky Schuckert, President of the Men's Service Club requesting their continued support with a donation to the Meals on Wheels program for the low-income senior participants who receive this supplement.
- A letter from Detective Michael A. Tulcewicz regarding the background check on Service Director Applicant Joe Blados who shows a clean record.
- A letter from Detective Michael A. Tulcewicz regarding the background check on Service Department Labor worker applicant Robert Wysocki who shows a clean record.

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### **SERVICE DEPARTMENT / MIKE FLORJANCIC**

- We received our new loader from Polen Implement on November 18<sup>th</sup>
- Christmas lights have been completed and Rob Algeri and Blaine Apathy were complimented who put the most work into decorating the village. Mayor Procuk stated that the decorations look phenomenal and encourages council to support purchasing additional pieces after the holiday season.
- Schindler Elevator came out and will work up a quote for elevator repair which will give us a total of three quotes.
- All the GPS units have been installed on the department vehicles.
- Leaf pick up will be completed this week for the season.
- Mayor Procuk reported that Mike Florjancic has been with the village for almost 22 years, hired as a mechanic for our emergency vehicles. He grew into the position helping out the Fire Department on both the ambulance and fire trucks and taking on the position of Acting Service Director. Reviewing his hours and what he has done for the village, he requested Council's support to give Mike a longevity check equal to a 20-year full time employee.

**MOTION:** All of Council moved to approve the \$2,000 longevity check for Mike Florjancic. Seconded by Mr. Lasky. Motion carries 5-0.

### **FIRE DEPARTMENT / JOE STEFANKO**

**MOTION:** Mr. Walsh moved to approve the payment to ESO Solutions in the amount of \$1,420 for the Emergency Reporting Fire Package and CAD Integration for 2023. Seconded by Mrs. Presot. Motion carries 5-0.

- There is legislation for this evening to approve the continuation of the accidental policy coverage for the Fire Department members to K&K Insurance Company in the amount of \$9,183. This is in our budget. Our previous carrier, Nationwide Insurance, is no longer offering business group insurance so we were forced to find another underwriter.
- Mayor Procuk read the two resignation letters earlier for Lt. Borowy and Firefighter Brad Black. We are sorry to see both go and they will be missed. We will be looking to hire three additional firefighters and review promotions.

### **POLICE DEPARTMENT / DAVE MEADE**

- Sgt. Jablonski graduated PELC (Police Executive Leadership College) on Friday December, 2<sup>nd</sup>. Along with Sgt. Leahy's graduation earlier this year, we sent two supervisors to PELC this year.
- The body cameras are in and are being installed. Once the server and everything is in place, we will be put on a waiting list for the software update by Motorola to get up and running. It should be in place over the next month or so. No word on the grant reimbursement yet.
- As seen on the news, both the 2020 Chevy Tahoe cruisers were damaged in a pursuit initiated by our department. A Cuyahoga Heights cruiser was also damaged. The suspect intentionally rammed all three cruisers. Both of our cruisers are still in service but will be scheduled for repair.

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- Also on the news, we were involved in the double homicide suspect pursuit by Parma Police that briefly entered Brooklyn Heights. Unfortunately we had another cruiser struck in that pursuit. Luckily it was the same 2020 Chevy Tahoe struck in and in the same spot as the earlier pursuit.
- Mayor Procuk shared that when reading the police blotters from other communities, he continues to see vandals going through neighborhoods checking for unlocked cars. Let's make Brooklyn Heights a place that is known for people keeping their vehicles locked and without valuable items inside.

### **COMMUNITY SERVICES DEPARTMENT / THEA GUILFOYLE**

- To date, we have 87 seniors signed up for the Senior Snow Removal Program. The contractor is still in the process of staking the driveways. Mr. Blados asked if our contract went through 2023-24 and it does as we entered a 3-year agreement.
- She thanked everyone who contributed to the Hope Tree project either by purchasing a gift or a monetary donation. She also thanked Unifirst and Ohio Desk, both who generously contributed to this project.
- The Remembrance Celebration went very nicely.
- Families and high school volunteers are signing up for the end of the month Art in the Park holiday sessions.
- Our big bus is going out tomorrow night with a full bus for the Christmas Lights Tour and again on Saturday for the Shop with a Cop event.
- The senior club from Valley View reached out to me asking to include our seniors in trips they are planning through Great Leaks Tours. We will gladly participate and offered to assist in any way.
- She complimented the Christmas decorations throughout the Village.

### **ENGINEER REPORT / JENNY ZOLDAK**

- Spring Road Construction: \$60,697 of the \$200,000 project is completed. Contaminated soil was found and was sent for testing. The initial cost is \$10,000 for testing and removal. Additional contamination was found and will go through the same process. The Board of Health will be notified to identify the source. This is part of OPWC and once they complete the storm water portion will be completed they will move to the sanitary work.
- 2022 Concrete Program: The original contract amount was \$113,470 and came in under budget by \$19,955.24. Legislation will be drawn up to balance quantities.
- 2022 Asphalt Program: The original contract amount was \$107,250 and came in under budget by \$13,818. Legislation will be drawn up to balance quantities.
- Belmont Project: Estimated cost was \$157,643.82 which was also under budget by \$57,075.82.
- Upper Park Project: There is legislation tonight to balance the quantities on the contract. The hoops and nets will be installed this year and the striping will be done in the spring. The swing has been ordered and will be delivered/installed in the spring.
- There is legislation tonight will allow for applications for CDBG and CDSD funds for the ADA-compliant restroom facility in the Upper Park in the amount of \$200,000. The applications

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are due on December 9<sup>th</sup> and results will be announced in March. If awarded, the goal will be to purchase and install the restroom during 2023.

- There is also legislation tonight to enter into an agreement with the county for ARPA funds for a big bus replacement and the Spring Road Projects.
- At the next council meeting, we will have legislation to enter an agreement with ODOT for the Brookpark Road resurfacing and balance of quantities for completed construction projects. We have the dollar amount from ODOT and it was more than originally anticipated. Checks have been received from the various municipalities and we've requested a breakdown from ODOT.
- There was a pre-construction meeting for the fiber optic utility installation. They will be working on Valley Belt and Resource Drive on Thursday. Hopefully it will be completed within a week.
- Lastly, I met with Mike Florjancic to look at Eastview Drive today. The pavement is very bad and spoke to a contractor about filling them with asphalt this year. Unfortunately the gaps are too deep and too wide and will not withstand snow plowing through the winter. We may use some of the funds from the cement or asphalt programs since they came in under budget.

### **BUILDING DEPARTMENT / HOWARD SONENSTEIN**

- We're doing our regular inspections, not many points-of-sale.
- 900 on Resource Drive is moving along and should be asking for a temporary occupancy permit soon. The Fire Department just made their inspection there.
- Metro is moving along, both buildings, B & C.
- We did a soft opening of our new Cloud Permit software. Our new secretary Nancy is catching on very well. She's completely handling all that runs through the Building Department.
- He thanked Joe Presot for helping with the entire Cloud permit transition.
- ScanWorks has been scanning all of the documents and we have an estimate of \$7,000 for their work to date. We just gave them the remainder of documents to be scanned which amounts to possibly 3,000 pieces and we'll have to wait for the billing on this last batch. They gave us a hard drive with all of the work to date.
- We're also working with John Triner to ensure that everything gets backed up.

### **CLERK-TREASURER / AARON FRANK**

- We closed the month of November today.
- There will be a lot of activity in our Capital fund over the next couple months. We will have the money from the Brookpark Road project, approximately \$800,000, move through this account.
- He is working with Greg Single on the incentive program for Gertsburg & Licata and we'll be cutting a check for them from the 204 Fund.
- Overall we're running about 5.5% under budget.
- He moved the first 15% portion of the municipal income into the capital fund in November in the amount of \$86,876 and \$30,000 was moved into the 204 Fund.

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- He met with Marty Mason, our Assistant Law Director, to reopen the unclaimed funds project. This includes the West Resource Drive fund with approximately \$159,000 in it and the Guaranteed Deposit Fund that has approximately \$150,000 and about \$100,000 of that is very old.
- The \$156,000 ARPA fund is being reviewed to clarify exactly what it can be used for. A call to Columbus was made and we will be checking to see if it can be used for infrastructure and what that definition is. This is the original ARPA funds not the new funds that we're using for the big bus replacement and Spring Road project.
- He is working with Jason Knowles on the county tree grant and getting it wrapped up for reimbursement. We expect to receive the funds after the first of the year.
- He will be working on 2023 re-appropriations over the next couple of weeks which will be followed up by an ordinance that will be submitted to the county. This is the first step in closing 2022.

**MOTION: Mr. Berzins moved to approve payment to Dell Technologies for the computer for the police body cameras in the amount of \$1,683.70. Seconded by Mr. Lasky. Motion carries 5-0.**

- It was agreed to pay ScanWorks for the amount previously approved by Ordinance and hold additional payment until the final bill is received.

**MOTION: Mr. Walsh moved to approve payment to Mansur Gavin for legal services in the amount of \$1,855. Seconded by Mr. Blados. Motion carries 5-0.**

- Ted Biskin gave us information on the Unum dental increase review. A couple carriers declined to provide an estimate however two quotes were received. Neither quote saved a significant amount of money and it was decided to stay with Unum for dental coverage.

**MOTION: Mr. Walsh moved to approve continuation of utilizing Unum for the village dental coverage. . Seconded by Mrs. Presot. Motion carries 5-0.**

### **MAYOR'S REPORT / MAYOR PROCUK**

- He expressed that he is very proud to see our employees and our department leaders working under Council's tight budget and operating at 5.5% under budget. This is a very good thing! He especially watches the largest item in the budget which is the police and fire departments and they are operating at 10% under budget.
- Last month our first RITA drop was \$397,000 which is about \$36,000 or 10% more than we anticipated. With the little bit of net profit we have now crossed the \$7M mark year to date. Receipt being \$7,394,301. Last year was the first time we ever hit the \$7M mark and we are \$312,000 or 4% ahead of that. Looking back at 2021, 2020 and 2019, after the tax increase was in place, we are at \$1.6 million more than in 2019.
- As Mr. Sonenstein stated earlier, we don't really have any empty space anymore. He's very proud that we are under budget and the revenue stream is continuing to move in a positive direction.

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- All appointments and hiring have to go through Council's advice and consent. He asked Council if they were ready to move forward with Joe Blados as our Service Director and have legislation drawn up for the next meeting and swear him in at that time including an MOU outlining the parameters and agreements.

**MOTION:** Mrs. Presot moved to appoint Joe Blados as Service Director. Seconded by Mr. Walsh. Motion carried 4-0.

### **PARKS, PLAYGROUND & COMMUNITY SERVICES COMMITTEE / JOE BLADOS**

- In the meeting earlier, Jenny Zoldak discussed the grants totaling about \$200,000 and we agreed that it will be used to replace the Upper Park Restroom facility.

### **Mayor ProcuK asked Ms. Presot for an update on the Tree Canopy Grant**

She worked with Jason Knowles regarding the Tree City USA grant application. The necessary criteria and information was gathered and Jason offered to submit the application. He had asked for and was granted, an extension for filing.

Mayor ProcuK asked the Engineer to explain what work was being done on Marko Lane. Mr. Henry responded that a tree root infiltrated the service connection and the County Department of Public Works came out and excavated to open up the line. When they snaked it, the snake got caught on something and they then had to clean out the service connection. Work should be completed this week.

### **MAYOR'S COURT / MAYOR PROCUK**

Income for November	7,528.50
Victims of Violent Crimes	252.00
Drug Law Enforcement Fund	94.50
State Bond Surcharge	140.00
Seatbelt Violation	00.00
Child Restraint	00.00
State of Ohio	1,131.50
Indigent Defense Support	785.00
Indigent Driver Alcohol Treatment Fund	40.50
Regional Enterprise Data Sharing System	135.00
Brooklyn Heights	6,221.50

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### **ORDINANCES & RESOLUTIONS**

**ORDINANCE 103-2022 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO MAINTAIN MEMBERSHIP TO WEST CREEK CONSERVANCY FOR 2023**

Sponsor: Mr. Lasky

Second: Mr. Blados

Yeas: 5 / Nays: 0

Ordinance 103-2022 is adopted 5-0

**ORDINANCE 104-2022 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO MAKE PAYMENT TO CONTRACTORS TO ENHANCE THE VILLAGE TREE CANOPY WITH ASSISTANCE OF A COUNTY GRANT**

Sponsor: Mr. Blados

Second: Mrs. Presot

Yeas: 5 / Nays: 0

Ordinance 104-2022 is adopted 5-0

**DISCUSSION:** Mayor Procuik explained that there is an easement that exists on all of our properties. This area is maintained by the resident. It is in the easement that the Village continues to enhance our property values, our health, applying for tree canopy grants, etc. We understand that it is an inconvenience when work needs to be done on the easement property. He hopes that Council will own their decisions and their votes for these matters when concerns are received from residents. All meetings are open to the public and all matters are voted on publicly.

**ORDINANCE 105-2022 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY AS PART OF THE GRANTING OF ARPA FUNDING FOR THE COMMUNITY SERVICES BUS REPLACEMENT PROJECT**

Sponsor: Mr. Berzins

Second: Mrs. Presot

Yeas: 5 / Nays: 0

Ordinance 105-2022 is adopted 5-0

**ORDINANCE 106-2022 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY AS PART OF THE GRANTING OF ARPA FUNDING TO COMPLETE THE SPRING ROAD RECONSTRUCTION PROJECT**

Sponsor: Mr. Walsh

Second: Mr. Lasky

Yeas: 5 / Nays: 0

Ordinance 106-2022 is adopted 5-0

**ORDINANCE 107-2022 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO APPROVE THE CHANGE ORDER DUE TO A CHANGE IN VENDOR REDUCING THE FINAL COST FOR A PORTION OF THE UPPER PARK PROJECT**

Sponsor: Mr. Blados

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

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Second: Mrs. Presot

Yeas: 5 / Nays: 0

Ordinance 107-2022 is adopted 5-0

**ORDINANCE 108-2022 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO ENTER INTO A CONTRACT WITH K&K INSURANCE COMPANY FOR INSURANCE FOR THE VILLAGE OF BROOKLYN HEIGHTS FIRE DEPARTMENT**

Sponsor: Mrs. Presot

Second: Mr. Berzins

Yeas: 5 / Nays: 0

Ordinance 108-2022 is adopted 5-0

**ORDINANCE 109-2022 ~~NOVEMBER~~ <sup>DECEMBER</sup> PAY ORDINANCE**

Sponsor: Mr. Walsh

Second: Mrs. Presot

Yeas: 5 / Nays: 0

Ordinance 109-2022 is adopted 5-0

**RESOLUTION 13-2022 AN EMERGENCY RESOLUTION AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO SUBMIT AN APPLICATION TO CUYAHOGA COUNTY FOR GRANT FUNDING THROUGH THE BLOCK GRANT PROGRAMS FOR IMPROVEMENTS IN THE VILLAGE UPPER PARK**

Sponsor: Mr. Walsh

Second: Mr. Blados

Yeas: 5 / Nays: 0

Resolution 13-2022 is adopted 5-0

Mayor Procuik reported that dialogue is continuing with the attorney's regarding the Kurtz Bros. permit. There are no meetings scheduled at this time and no agenda has been set with the County Board of Health.

**MOTION: Mr. Berzins moved to go into Executive Session to discuss negotiations and personnel matters. Seconded by Mrs. Presot. Motion carries 5-0.**

### **RETURN FROM EXECUTIVE SESSION**

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

Yeas: All

Meeting adjourned.

  
Mayor

  
Clerk/Treasurer