

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ October 2, 2012 _____ 20 _____

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on October 2, 2012 at 7:30 P.M. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:	Councilmen:	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

Councilmen Black and Lahiff are on a cruise and need to be excused.

MOTION: Mrs. Presot moved to excuse Mr. Black and Mr. Lahiff due to their vacation. Second by Mr. Selig Motion passed 5-0

CORRESPONDENCE

Mayor Procuk announced that the Women's Service Club is sponsoring another Shred-It day on October 27th from 9 till noon.

He told council that the Ohio EPA Parking Lot Retrofit grant is in place.

He read a thank you note dated October 2nd from the David and Maryann Derbin thanking the fire department for taking Ladder 49 to the park for Nicholas Triscari's 2nd birthday party. They said the educational value was wonderful and the looks on the children's faces was great.

Mayor Procuk received a letter from 5th street resident Donna Baudo requesting that the police barricade the ends of 5th Street on Saturday, October 20th from 4pm to 10 pm for a block party. Chief Algeri said that we have no rules governing this and Mayor Procuk said that we used to do it on Springbrook and on W 6th street many years ago. As long as the majority of the residents on the street are participating and have no objection to the street being blocked he would tell her it is okay. Mr. Hatgas has the barricades.

Mayor Procuk asked Mr. Hatgas to bathe our municipal building in the purple lights we use during the holidays in support of the 5th Annual Purple Lights Nights to heighten awareness of domestic violence. He stated that because our building is so highly visible from one of the busiest highways he would like to see us light it up in support of many different causes.

SERVICE DIRECTOR

Mr. Hatgas introduced Chuck Kennedy from Precision Pump. Mr. Kennedy's company has been contracted to replace the concrete over the in-ground gas storage tanks. Upon opening the area, it was discovered that some of the lines are deteriorating. Under BUSTR (Bureau of Underground Storage Tank Regulations) the rules are to bring everything up to code. The original work to be done was estimated at \$24,000 and now there is an additional \$23,000 to correct the issues.

Mr. Cichocki questioned why this was not seen under the original quote and brought to council then.

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Mr. Kennedy stated that they would not see it until the pumps are removed and it was not assumed as a problem because the lines are registered as fiberglass pipes but they are not fiberglass.

Mr. Foote asked if they (council) were to go ahead with the repairs could there be any other unforeseen problems and Mr. Kennedy said no. This would bring us into compliance.

Mayor Procuk said that the underground tanks have been there since 1985 when the Service Garage was built and asked when the changes were made by BUSTR.

Mr. Kennedy said that they make changes every 5-6 years and the most recent would have been in 2006.

Mayor Procuk asked if we weren't having a problem and having it fixed, how would we know about these problems.

Mr. Kennedy said it was questioned on our last testing report.

Mayor Procuk asked if we would need to go out for bids again and Mr. Dowling said all we would need is another ordinance because what he is hearing is "it is a hidden defect".

Mr. Kennedy said as the project progressed the signs were there that what is registered is not what is on site.

Mr. Cichocki said he would approve this but there was no mention of what potentially could happen underground. He never heard the work BUSTR one time on anything, anywhere, anyhow and you (Mr. Kennedy) knew it was an old system. He feels council should have been given more information when it was initially brought to council. He said he is not real happy with his company but they have to do what they have to do. The next time someone comes before them they will ask a lot more questions.

He told Mr. Kennedy that he knew it was an old system and that any additional problems could cost another \$25,000. He said council may not have begun the project if they would have known it could cost \$50,000. He feels that now they are forced to do a \$50,000 project when they may have waited a year or two.

Mr. Kennedy said he went off the testing reports and we have been using the same testing company for the last five years and they should have caught it.

Mrs. Presot asked if everything under the concrete will be brought to code and Mr. Kennedy reiterated that everything pertaining to our tanks will be brought into BUSTR's regulations for 2012 and the pumps are being reconditioned. Mrs. Presot asked what the life of the pumps will be after they are reconditioned and Mr. Kennedy said with the salt and rust they would probably last another seven to ten years.

Mr. Foote asked if we wanted to get rid of the tanks what the cost would be.

Mr. Kennedy said in the neighborhood of fourteen to eighteen thousand dollars to remove the three tanks.

Mr. Dowling will draw up the ordinance and a special council meeting will be held on October 9th at 6 pm.

Mr. Hatgas will be out of town but Mr. Kennedy will attend the meeting.

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MAYOR'S COURT

Income for September 2012	\$7,225.40
State of Ohio	- 1,497.50
Indigent Driver and Alcohol Fund	- 46.50
Cuyahoga Regional Information system	- <u>135.00</u>
Brooklyn Hts. General Fund	\$5,546.40

Mayor Procuk said that the village departments are operating at about 5.1% under the budget set by council thru three-quarters of the year. He estimates our year-end general fund to be about \$1,882,603 which puts us at about the same as we ended year 2010 at.

Mayor Procuk noted the staff meeting held at the end of September. The department heads are putting together their "wishes and wants" lists. We will be in need of several vehicles next year, possibly reinstating the animal warden and retooling the senior grass cutting program.

A company called Sunbelt will be occupying the old Groundscape building on Van Epps.

Mayor Procuk, Val & Ron Snyder and Dana & Dave Bundus are into their seventh week of a well-ness program thru COSE at a cost of \$100 for the twelve weeks. There will be a winter program beginning in January and he will advertise it to the employees.

Mayor Procuk will host the Mayor's Breakfast meeting on November 9th. This is for the mayors of the surrounding communities.

On October 10th Mayor Procuk will attend the meeting of the Cuyahoga Valley Regional Council of Governments. This will be an update to the communities from the Cuyahoga Valley National Parks. The last meeting of the year will be on December 12, 2012. Dues are \$1,000 for the year for villages.

MOTION: Mrs. Presot moves to pay dues of \$1,000 to the Cuyahoga Valley Regional Council of Governments for the year 2013. Second by Mr. Foote Motion passed 5-0

Mayor Procuk announced that the Cuyahoga County Planning Commission named Glen Coyne as Executive Director.

The Cuyahoga Valley Chamber of Commerce will hold its State of the Region Lunch on November 14th. The mayors are asked to prepare a 5 minute slide show or power point presentation highlighting positive economic growth or improvements in their community and then to be prepared to answer previously prepared questions.

NOPEC sent letters regarding a seven year guaranteed rate.

The three village mayors will have a meeting with Dr. Holland on Monday, October 15th and Mayor Procuk will give him an update on the Safeguard situation.

There will be a Vision Eight meeting on October 26th at the Cuyahoga Valley Career Center to highlight the training classes available for employees of the district.

Mayor Procuk said that he has put a letter in council packets several times regarding participation in the Maple Leaf Health Care Council of Governments. He did tell the other mayors that our contract runs from July to June but wanted to know if council is in favor of meeting and discussing this issue.

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POLICE CHIEF

Chief Algeri said the two new officers are now in their fourth week of the fourteen week field training. They work the night shift and things are moving along smoothly.

Patrolman Jablonski has an electronic repair background and fixed our tint meter which saved us the cost of a repair.

MOTION: Mr. Cichocki moved to pay the Bradco invoice in the amount of \$1400 for psychological testing for the new hires. Second by Mrs. Presot Motion passed 5-0

MOTION: Mr. Cichocki moved to pay the Employers HealthSource invoice in the amount of \$1,562 for the pre-employment physicals for the new hires. Second by Mrs. Presot Motion passed 5-0

MOTION: Mr. Walsh moved to pay the Shuttler's invoice in the amount of \$3,150 for the initial issue of uniforms for the new hires. Second by Mr. Selig Motion passed 5-0

Note: They will receive the balance of their uniforms in 2013 under the Uniform allowance in the budget.

Chief Algeri told council that we will be changing our jail facility from a 12 day facility to a 12-hour facility. Under the new laws if we convert back to a 12-day facility there will be a lot of cost incurred due to the new standards. If a prisoner is to be held longer than 12-hours he would be moved to another jail.

Mr. Cichocki asked how we change from a 12-day facility to a 12-hour facility and Chief Algeri said that he has sent a letter to Greg Dann informing him that we would be changing to a 12-hour facility for the upcoming jail self-audit.

Chief Algeri stated that the police department has taken a lot of heat over the last several months from residents because they are not able to offer animal control. He said he would like council to consider reinstating an animal warden for the coming year, possibly using the one used by Valley View and other communities in the area. When he talked to council in April the cost was \$4,800 for the year plus extra for trapping. Chief Algeri said he put \$6,000 in his budget for 2013 to cover this cost. He said trapping of animals would be regulated by him because trapping is an extra cost.

Mr. Walsh asked if he has the money in his budget right now and Chief Algeri said probably because it would only be a few months but he said the quote he received was for the year and that was back in April. The monthly charge could have changed by now. He will look into this.

Mayor Procuk said we would want a full year contract.

Mr. Walsh asked if he could get updated figures to put before council next Tuesday (October 9th) and Chief Algeri said he would certainly try.

ECONOMIC DEVELOPMENT

Mr. Perry reported that the remediation report should be ready the week of October 22nd.

Mr. Perry met with several of the people on Valley Belt Road to try to work out plans to alleviate some of the problems down there. Mr. Hatgas has put up signs to try to control speed and the tires of the trucks are being washed down to hopefully satisfy the other tenants down there.

Omni Properties has purchased the Chapman property and they along with Vic Voinovich are working to get the building occupied. They will be investing capital to upgrade the property.

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U.S. Protective Services is working through some problems and hopes to have his employees in the building by the end of this month and hopes to lease the property next door to him with 15-20 employees.

Kaiser will be adding additional 80-100 employees.

Mr. Perry spoke about updating the website and Mr. Walsh said that his 2006 Economic Development plan is still on the site. It is totally outdated and Mr. Walsh called it an embarrassment.

RECREATION DIRECTOR

No Report

Mr. Presot asked if we could get the basketball sign-ups on the Marquee.

Mr. Cichocki asked Mr. Hatgas who requested the inspection on September 25th from the Board of Health and Mr. Hatgas replied that we asked for a dye test to see if we were in compliance with their regulations for the amount of water that it takes to get to the outfall versus the number of parking spaces that are there. We failed the test.

COMMUNITY SERVICES

Mrs. Guilfoyle reminded council that the annual food drive will be this month and it will be done during the day the week of October 22nd thru the 25th. They will do a different section each day and it will be well publicized and marked.

Mrs. Guilfoyle reported on the County meeting she attended with Tim Clymer and John Black regarding the website development. She said it was very impressive and she spoke with two of the five communities that worked with the county for their websites. She would like to have the woman from the county come in and give a presentation to council.

Mr. Selig called a Parks, Playground and Community Services committee meeting on October 16th at 6 pm to discuss the website.

Mr. Cichocki then called a Safety Committee meeting for the same night.

Mrs. Guilfoyle will continue to meet with the department heads to see what they would like to see on the website and she is working with FF Brian Dougan who is very knowledgeable with Twitter and Facebook.

Saturday November 10th will be leaf raking for seniors. They will meet at pavilion 2 at 9:30 and Mayor Procuk will provide pizza and pop for the volunteers. Mrs. Guilfoyle stated that they lost two Girl Scout troops so she will try to get volunteers from the school.

An ad was placed on Craigslist for snow removal contractors. Mr. Hatgas has secured a quote from Greg Prebish for snow removal, senior grass cutting and a combination quote.

Mayor Procuk would like to add this discussion to the October 16th meeting agenda.

Mayor Procuk informed council that Mrs. Guilfoyle has attended a seminar on aging for many years and it has been free in the past but this year there is a \$60 fee and he is authorizing the payment so she can attend this year.

FIRE CHIEF

Chief Lasky spoke about the overturned truck on I-480 last week and the product of hydrogen sulfide (a strong bleach like substance) that dumped from the overturned vehicle and into the sewers and creek.

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The EPA and ODOT were involved. The village will recoup what we can as far as costs go. All things considered, Chief Lasky said the teams (Fire, Police, ODOT, HAZMAT, etc.) worked well together and things went very smoothly.

Mayor Procuk asked Chief Lasky to explain how the HazMat team worked. Chief Lasky said that our men identified that there was a problem and called dispatch who then called out the HazMat team. Within fifteen minutes the HazMat team was there and took charge of the spill. Mayor Procuk pointed out that the \$6,500 we spend to support HazMat is well worth it for the training and knowledge they have.

Chief Lasky reported that our ambulance billing is up over last year. To date we have billed and collected \$65,000 with four months left in the year compared to \$52,000 for 2011.

Mr. Cichocki called a Safety Committee meeting on October 16th at 6:45 pm to discuss the possible hiring of additional firefighters.

Chief Lasky commended both Chief Algeri and Mr. Hatgas for the response by them and their departments.

Chief Algeri said that the State Highway Patrol took over the investigation and may or may not have cited the truck driver but he said that during our investigation several witnesses stated that the truck driver was cut off by a car which caused him to swerve and his load to shift causing the overturning of the truck.

CLERK/TREASURER

Mr. Clymer said that the charter requires that we update our codified ordinances every year so he put a quote of \$4,500 to \$5,200 at each council seat. They also quoted a price to put the ordinances on-line. The cost for conversion is \$1,400 and \$450 a year for the hosting fee.

Mr. Cichocki said that if we are going to update the website we should put them on-line.

LAW DIRECTOR

Jerry Dowling informed council that he had sent a letter to the County Fiscal Officer requesting that the property tax abatement on Safeguard's property be returned to its full level. A motion was requested to signify council's agreement with his letter. **Mrs. Presot moved the request. Second by Mr. Foote**
Motion Passed 5-0

Mr. Dowling said he has an ordinance that needs to be voted on by November 17th. It is to agree to the Cuyahoga County Solid Waste Management Plan Update. All of the cities are doing it and we need to do it or get in trouble.

Mr. Cichocki said that his Environment Committee met two weeks ago with Diane Bickett. They want us to approve the ordinance but they found out in the meeting that CCSWD pays the Board of Health \$180,000 as part of their salaries and the Board of Health does not seem to be doing a very good job of the Rosby inspections and they had a question, which still has not been answered as to whether "smell" is a violation.

Mayor Procuk said Mr. Cichocki could call Diane Bickett to get some answers. He told Mr. Dowling to draw up an emergency ordinance for November 7th.

For the record: Mr. Cichocki said that this council and the administration are going to do everything in its power to stop the smell (from the food waste he is recycling). Both Mayor Procuk and Mr. Cichocki have suggested to Mr. Rosby to stop recycling food waste to alleviate the smell, but apparently he doesn't get it. Some residents have already written letters to the people who are supplying him with the food wastes

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and one way or another we are going to stop him, either voluntarily or legally. The choice is going to be his.

Mrs. Presot asked Chief Algeri if this animal warden would trap on commercial property and Chief Algeri answered that trapping would be authorized through him and he will not allow trapping on Mr. Rosby's property to be on the village's dime.

Mr. Foote said we would have to ensure that the village residents work through the police department and not be allowed to call the animal warden on their own.

Mayor Procuik said to keep in mind that Mr. Rosby is still a resident and his home is on that property.

Mr. Foote said we need to be really careful about how we handle this.

Chief Algeri stated that the cost for trapping through this company is \$80 a week for the village, Monday through Friday, but they also allow for private calls at a cost of \$160 per week. They only trap for nuisance animals.

BUILDING INSPECTOR

Mr. Socoloff said that the building on Marko Lane is on schedule and the homes are beautiful.

Kaiser will be doing work on their warehouse and on the 1st and 2nd floor of their administration building. Their architect sent very sketchy drawings and Mr. Socoloff has requested better drawings ASAP.

Safeguard has been given a green light to move people in.

ENGINEER

Mr. Henry said they have updated the zoning map.

Mrs. Presot called a committee meeting on Nov. 13th at 6pm to discuss the updated zoning map.

There will be a Streets Committee meeting at 6 pm on October 9th to discuss a grant received for the Municipal Center parking lot.

The septic system passed on July 11th and failed on September 25th. Mr. Hatgas and Mr. Henry were not present at the July inspection but were present at the September inspection and watched them flush 79 gallons of water go to the outfall into the creek.

A Parks, Playgrounds and Community Services meeting is called for October 16th at 7:00 to discuss the park septic tank problems and repair options.

Mayor Procuik asked about the Anders problem. Mr. Henry said he has not heard from Mr. Anders since early summer.

There will be a meeting on October 17th with NEORSD regarding their storm water plan.

ORDINANCE COMMITTEE

Mr. Cichocki said he would like to see a non-emergency ordinance drawn up to repeal the no dogs in the park ordinance. He feels it is time we abolish this ordinance and allow dogs in the park.

Mrs. Presot asked if we have completed our tree work with Stan so she can put in the Tree City Application.

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ORDINANCES & RESOLUTIONS

ORDINANCE 65-2012 – AN EMERGENCY ORDINANCE AMENDING APPROPRIATIONS FOR THE FISCAL YEAR 2012

Sponsor: Mr. Foote Second: Mr. Selig
Yeas: Foote, Selig, Walsh, Presot, Cichocki
Nays: none
Ordinance 65-2012 passed 5-0

ORDINANCE 66-2012 – OCTOBER PAY ORDINANCE

Sponsor: Mrs. Presot Second: Mr. Foote
Yeas: Presot, Foote, Cichocki, Selig, Walsh
Nays: none
Ordinance 66-2012 passed 5-0

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

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer