

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD May 6, 2014 20

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on May 6, 2014 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, Foote, Hatgas, Selig, Walsh
	Mayor:	Procuk
	Clerk/Treasurer:	Clymer
	Law Director:	Dowling
	Engineer:	Ed Wren
	Police Chief:	Algeri
	Fire Chief:	Lt. Messich
	Service Director:	Hatgas
	Bldg. Commissioner:	Socoloff
	Comm. Service Dir:	Guilfoyle
	Recreation Dir:	Presot
	Economic Develop Dir:	Perry

Motion by Mr. Selig to approve the March 4, 2014 and April 1, 2014 regular council minutes. Second by Mrs. Hatgas Motion passed 5-0

Mr. Walsh thanked Councilman Black and Mr. Hatgas for procuring the larger recycling containers for residential use. He said that not having stuff blowing around the neighborhood is great.

CORRESPONDENCE

Mayor Procuk read a thank you from Joe & Jen Presot for lighting the building in "Go Blue" for Autism Awareness Month.

A thank you note was received from the Lahiff family for the flowers in memory of Tom's dad.

Cub master Ray Berzins, Pack 28, sent a picture of the boys as they cleaned up trash in the park as a volunteer project.

Weltman, Weinberg and Reis asked to use a pavilion on Sept. 9, 2014 for a Team Building event and that the fee be waived.

MOTION: Mr. Foot moved to waive the fee for the pavilion use for WW&R. Second by Mr. Black Motion passed 5-0

Parma Elks asked to use pavilion #3 on August 3, 2014 for their annual family picnic and that the fee be waived.

MOTION: Mr. Walsh moved to waive the fee for the pavilion use for Parma Elks. Second by Mr. Black Motion passed 5-0

Mayor Procuk read a letter from Pat Hoban stating that Johnathan Klein will be the fact finding mediator.

Mayor Procuk read a letter from Jason Knowles regarding the village tree lawn trees and tree maintenance throughout the village.

Mayor Procuk read a letter from John McCloud, Director of public Health of the Cuyahoga County Board of Health regarding Rosby Resource Recycling Inc.

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AUDIENCE

Joe Hooven asked about getting another cable service besides Cox Communications in the village and Mayor Procuk said that due to our size (small) no one wants to pull cable through to us. He said that parts of the village can get AT&T U-Verse. Genie Barthleman said that she can't get AT&T U-Verse in the Dorset area and Mayor Procuk said that is true. He said that Seven Hills has it but they have not brought it into the Dorset area yet.

DEPARTMENT REPORTS

FIRE

Lt. Messich reported for Chief Lasky.

- Hydrant Flushing will begin on May 31st and continue for two weeks. The signs will be out the day before for each area to be done. It will be posted on the marquees, on an agenda and on the website. (Flushing will be finished on the day the June Breeze comes out and it is too late to get the schedule in the May Breeze.)
- Chief Lasky, Asst. Chief Stefanko and Admin. Asst. Donna Tesar are working with the Bureau of Worker's Compensation on a \$40,000 grant to purchase power-lift cots (stretchers) for the ambulances. It is a 75%-25% grant. The cots will make it easier to lift patients into and out of the squads with less strain on their backs and reducing the chance of a work comp claim.
- Mr. Clymer read a request from Chief Lasky for a motion to pay for the annual ladder inspection for Ladder-49.

MOTION: Mr. Black moved to pay Underwriters Laboratories for the annual ladder testing not to exceed \$1,900. Second by Mr. Selig Motion passed 5-0

WORK COMP

Mayor Procuk asked Donna Tesar to explain to council the email sent to him.

- She said that the village receives a discount called "handicap discount" which is a discount for work comp claims that involve a person with a disability such as arthritis. Any claim for such a person will take longer to recuperate from an injury so the state compensates the employer for that. In 2012 Brooklyn Heights received a \$12,340.99 savings on our premium.
- In 2014 our premiums for 2013 will be reduced by 42% due to our safety record and low number of days lost due to on-duty injuries which realizes a savings of approximately \$18,000.
- We are in another program called the Industry Specific Safety Program (ISSP) which yields a 3% discount on our premiums. For this program we must complete three tasks based on our payroll. Applying for the Safety Grant constitutes one task and Mrs. Tesar then met with Gayle Luker of the Safety and Hygiene Department of the Bureau of Worker's Comp. They did both a Management Analysis and Safety Analysis of the Fire Department. We got good reports on both assessments.
- Currently premiums are paid one year in arrears. Beginning in 2016 Public Employers (2015 for Private Employers) will play catch-up with premiums because the Bureau will begin collecting premiums for the current year. They will break it down so that the payments can be made over the year instead of hitting us all at once with a double premium.

COMMUNITY SERVICES

Mrs. Guilfoyle said that Cuyahoga Heights After-Prom asked for the bus for the trip to Kalahari on May 20th. The cost of the driver would be just under \$130.

MOTION: Mr. Foote moved to allow After-Prom to use the bus for the trip to Kalahari on May 20th. Second by Mr. Black Motion passed 5-0

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Mrs. Guilfoyle said that the Senior Recognition Luncheon will be on May 20th and they are still accepting donations.

The lawn cutting program is progressing and Mayor Procuk and Mrs. Guilfoyle will interview a new driver tomorrow.

Mr. Black said that he received a complaint regarding Mr. Prebish and the lawn cutting. He said he went to the complainant's house and saw the yard clippings and tire tracks on the driveway.

Mayor Procuk asked who else received the call and both Mr. Selig and Mr. Walsh said they had. Mayor Procuk asked that if any council member receives a call they should immediately inform him and Mrs. Guilfoyle.

POLICE

Chief Algeri asked for a motion to pay for brakes on the Detective's car.

MOTION: Mr. Black moved to pay Firehawk \$1,140 for brakes on the Detective car.

Second by Mr. Walsh Motion passed 5-0

Chief Algeri said they received a grant through the Attorney General's office for \$750 for the National Alliance on Mental Illness. Three officers went for intervention training.

We received a check from a class action lawsuit. Second Chance Body Armor was sued for faulty vests several years ago and the suit was settled and the money divided amongst several law enforcement departments.

Chief Algeri publicly thanked Robert Papp for his seven years of service to law enforcement and wished him well in pursuit of his job outside of law enforcement.

The department arrested a 3rd time OVI offender. His 2010 Honda Civic would have been confiscated but the man wrote the village a check for \$11,000 (deposited into the Law Enforcement Trust Fund) and he paid \$1,100 in fines.

Last week half of the department was certified in using the Taser. Chief Algeri asked for an additional eight (we currently share six) to outfit the entire department in light of the \$11,000 we received for the car.

Mr. Selig asked if the \$11,000 would cover the purchase and Chief Algeri said the eight Tasers would cost \$10,000.

Chief Algeri was the test dummy for the Taser training and said it was the longest 3 seconds of his life. It is not fun to be tasered.

Mr. Walsh was under the impression that we do not have dash-cams in our cars and Chief Algeri said that all our cars are equipped with them.

Ken Perry asked about the liability to the village if someone has a medical history. Mayor Procuk said that has all been worked out and the Tasers would be a last resort before pulling out their gun.

Mr. Foote told Mr. Perry he had the same questions and it was discussed prior to purchasing the initial round.

Chief Algeri said they are aware and trained to watch for medical issues, i.e.: pacemakers, pregnancy etc. and the Fire Department has a protocol through Med Control to follow also. He said they will be very cautious.

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SERVICE DIRECTOR

The Service Department auctioned off three pieces of equipment through Greater Cleveland Auctions and netted \$1,280 for the general fund. Mayor Procuik asked what their cut is and Mr. Hatgas said it was \$115 per piece.

Mr. Hatgas told council that he received the 2013 Sanitary Engineers report and that \$136,028 was spent by the engineers for work done in Brooklyn Heights. They maintained 76,000 feet of sewer lines, 320 manholes and made 60 residential house calls to snake lines.

Mr. Hatgas reported that recycling with the new rolling totes was 60-65% and we had two residents who flat out refused the new totes. Mayor Procuik asked if they refuse to recycle and Mr. Hatgas said that they will bring their recycling directly to the Service Garage. They don't want to have to push the tote back up their drive.

MOTION: Mr. Walsh moved to pay HSP 1,860 for tuck-pointing of the Service Garage. Second by Mrs. Hatgas Motion passed 5-0

Mr. Hatgas asked if the two bank owned properties could be added to the lawn cutting program for a flat fee of \$250 instead of the Service Department cutting the grass and having to keep track of the time and cost for later billing. Mr. Dowling said we could do this and then file a lien against the property. No council action is required to do this.

Mayor Procuik, Mike Henry and Ed Hatgas will attend the tour of the First Energy dispatch/call center and on May 13th Mr. Hatgas will attend the Tree City USA awards in Wadsworth.

Teltronics has offered a 2nd opinion on our phone operating system and Mr. Hatgas told council that it is not needed.

Mr. Selig said he has received requests that the key and 3-point line be painted at the mini-park. (One hoop only)

ECONOMIC DEVELOPMENT

Mr. Perry asked Mrs. Guilfoyle if there is a way (such as reverse 911) to put out an e-mail blast letting residents know about Hydrant Flushing. Mrs. Guilfoyle responded that she only has e-mail addresses of those who ask for the Breeze by e-mail. Mrs. Guilfoyle said we should put it out there that if you would like to share your e-mail address for village news to let her know.

Mr. Perry said that the VFW is ready to roll, just waiting for their liquor permit.

An extension has been received for the village Schaaf Road property due to the bad weather we had.

The WACO property on Spring Road has been purchased and the new company will have 60-70 employees. Mr. Perry said he has suggested that Blue Jay Communications possibly build on the Geis property.

There will be about 30 new employees at 707 Brookpark Road soon.

Mr. Black, Mayor Procuik and Mr. Perry attended an networking meeting that was very productive. Mayor Procuik asked if Mr. Perry is still working with Denise Swan from HealthSpan and he said yes and they would meet soon.

Mayor Procuik noted that the trailers have been removed from the Geis Property.

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RECREATION DIRECTOR

Mr. Presot reported that the soccer season is coming to an end and that baseball sign-ups have closed with 145 kids on 13 teams. He is in need of a couple of sponsors. The cost is about \$150 to sponsor a team.

Walton Hills has an in-house rec team for ages 16-18 and we have two youths who want to play. They will take the boys at no charge to us as reciprocity for us taking their kids in the past.

The Elk's Shoot-out will be on May 17th from 10 am to 12 pm. He said we could potentially have 140 kids at the event. Jen Presot will not be helping this year.
The event will be on the marquee and in the May Breeze.

ENGINEER

Mr. Wren (sitting in for Mr. Henry) said that the bids for the Lancaster Road South project will be opened on Friday. Mr. Henry expects the project to begin in July and will take approximately thirty days to complete.

Mr. Henry will apply to the City of Cleveland Water Department for funding to replace the water lines on the numbered streets.

Mayor Procuk said this project is to be done in 2015.

Mr. Wren acknowledged that he received the paperwork for the ODOT project on State Route 17.

BUILDING DEPARTMENT

- 1252 E. Schaaf Road: Mr. Socoloff was pleased to give the VFW their occupancy permit.
- 709 Brookpark Road: (Calvary Chapel): They have submitted a second set of drawings and when Mr. Socoloff stopped in the pastor was doing electrical work. He was asked to stop and to get a letter from Vito to the village, giving them permission to proceed with renovations because the property has not yet transferred.
- 4928 Schaaf Lane: Trionetics will take over that space. Drawings were submitted. They met with the Plans Examiner and were told exactly what is needed.
- 925 Keynote – Omni: the architect called Mr. Socoloff asking the same questions that the principals asked and he gave them the same answers.
- 14 Marko Lane: has been issued an occupancy permit
- 193 and 196 Marko Lane: both houses are well under construction. Due to no backyard per se, they asked if they could set the houses closer to the street and the answer was they could not.

Mr. Socoloff said that point of sale inspections are up as are permits for roofs, pools, sheds, fences, concrete and several smaller projects.

Mr. Socoloff thanked Mayor Procuk and Mr. Hatgas for handling the lawn situation on Dorset and said that he received phone calls from Frank Lambert and Karen Vavrek regarding the running of a generator in their back yards. Mr. Hatgas and Mr. Socoloff checked it out and Mr. Socoloff spoke with the building inspector of Seven Hills. He will check the decibels at the residential property lines.

The generator was checked on January 31, 2013 when it was being load tested and checked out fine. Mayor Procuk said that the construction on Rockside Road has caused power failures in the area and the generator comes on in response.

Mayor Procuk said that he is sure the decibels will be within the correct range but just as a lawn mower is within acceptable range, no one wants to listen to it drone on and on all day. He said that if the residents

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feel a noise ordinance is being violated they should call the Seven Hills Police because we don't have jurisdiction in Seven Hills.

CLERK/TREASURER

Mr. Clymer stated that the General Fund year-to-date is down about \$52,000 thru April. We have paid \$160,000 to the School District which is up due to some new businesses moving into the village so council will have to increase the appropriations by about \$70,000.

The RITA income was lower this year than May, 2013. Mr. Clymer has asked the Tax Administrator to look into this.

The Safeguard disbursement for 2014 of \$108,000 has been fully paid.

Mr. Clymer asked for a Tax Budget hearing at 7:25 pm on June 3rd prior to the regular council meeting.

Mr. Clymer thanked council for waiving the fee for the Municipal Finance Group lunch meeting at the community center.

Mr. Clymer announced that he has accepted a part-time position with Northfield Village. He said that Brooklyn Heights will be his number one job and he feels confident that he will continue to give 100% to Brooklyn Heights.

Mr. Clymer said that the 2nd Annual Park Board 5K run will be held on Saturday, Sept. 20th and is asking for the administration's support again this year. Jason Nicolas from Channel 5 News will present the awards.

At 3:36 today, Mr. Clymer became an uncle to Noah Michael Clymer, newborn son of his brother Rick and Lindsey Clymer.

LAW DIRECTOR

No Report

Executive session for two pending litigations

MAYOR

There is no Mayor's Court Report tonight due to Kari's daughter being admitted to the Cleveland Clinic. It will be put in council mail on Friday and read into the minutes at the June meeting.

Kari Baciak was re-certified as Clerk of Courts.

MOTION: Mr. Black moved to pay \$1,100 for the Laser Jet Printer for court use from the Court Technical Support funds. Second by Mr. Foote Motion passed 5-0

Mayor Procuik attended the Chili Cook-off for Autism and more than 1000 people were in attendance.

Mr. Foote will attend the June 12th Greater Cleveland Trails and Greenway Conference and Mrs. Hatgas will attend the NOPEC meeting tomorrow at Don's Pomeroy House.

Mayor Procuik is promoting the Elk's Soccer Shoot-out on Saturday, May 17th from 10 am to noon. They are looking for volunteers to help. Need the winners by June 14th and the district shoot-out is June 21st. Mr. Walsh said his daughter went to the state finals, which was in Coshocton and it was totally paid for by the Elk's.

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He will attend the Greater Cleveland Safety Council Awards ceremony on May 8th.

Jen Scofield is the acting director of Regional Collaboration and she sent a survey regarding a healthy workplace.

The State of the Schools will be May 14th.

Mayor Procuik announced the passing of retired Fire Captain Lloyd Cassidy and School board member Steven Kenzig. Mr. Foote said that Mr. Cassidy was buried in the Foote family cemetery and the repast meal was held at the new VFW and that the facility is quite nice.

Mayor Procuik asked that a Wage and Salary committee meeting be called to meet with Mr. Socoloff and that Chief Lasky would also like to meet with them.

COMMITTEE REPORTS

AD HOC COMMITTEE

Mr. Black, as the council liaison for the schools, read an updated summary of the school lawsuit.

STREETS & UTILITIES COMMITTEE

Mr. Foote said the committee met this evening regarding a marquee at Schaaf & Tuxedo and that will happen over the summer. There was also a brief discussion on tipping fees.

WAGE & SALARY COMMITTEE

Mr. Walsh called a meeting on June 3rd at 6:30 pm with Mr. Socoloff and Chief Lasky.

ORDINANCES & RESOLUTIONS

1ST READING:

ORDINANCE 37-2014 – AN ORDINANCE AMENDING SECTION 1062.02 (CONDITIONS OF RENTAL OF VILLAGE HALL) OF THE CODIFIED ORDINANCE OF THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: Mr. Foote

Second: Mr. Selig

This Ordinance will be up for consideration for vote at the next scheduled council meeting.

ORDINANCE 38-2014 – AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A CONTRACT WITH AMERICAN LEGAL PUBLISHING TO PROVIDE AND UPDATE THE CODIFIED ORDINANCES OF THE VILLAGE OF BROOKLYN HEIGHTS

Cost not to exceed \$7,700

Sponsor: Mr. Walsh

Second: Mr. Foote

Yeas: Walsh, Foote, Hatgas, Selig, Black

Nays: None

Ordinance 38-2014 is adopted 5-0

ORDINANCE 39-2014: MAY PAY ORDINANCE

Sponsor: Mr. Walsh

Second: Mr. Foote

Yeas: Walsh, Foote, Selig, Black Hatgas

Nays: None

Ordinance 39-2014 is adopted 5-0

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Mrs. Tesar let council know that she had the wrong date in the Breeze for the Shred-it day. The correct date is May 24th not May 17th. The date is correct on the website.

MOTION: Mr. Selig moved to go into executive session to discuss pending litigation.

Second by Mrs. Hatgas

Yeas: Selig, Hatgas, Foote, Black, Walsh

Nays: None

Motion passed 5-0

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

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer