

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD \_\_\_\_\_ July 3, 2012 \_\_\_\_\_ 20 \_\_\_\_\_

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on July 3, 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:	Black, Cichocki, Foote, Lahiff, 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

**MOTION: Mr. Foote moved to accept the minutes of the April 17<sup>th</sup> Special meeting of Council as distributed. Second by Mr. Walsh Motion passed 7-0**

### CORRESPONDENCE

Mayor Procuk read a letter of thanks from the Senior Club for the donation of \$1,200.

Mayor Procuk said he received an e-mail from Jean Harle regarding groundhogs in their backyard. He told her we no longer have an animal warden.

Mayor Procuk said that Ken Perry would not be in attendance this evening because he is celebrating his wife's 69<sup>th</sup> birthday.

Mayor Procuk discussed an email correspondence between Joe Presot and Rocky Schuckert regarding the use of the lights on the baseball field.

The Greater Cleveland Safety Council sent a thank you to Mayor Procuk for his attendance at the Safety program at the Zoo. He was "Rick Click" for the 27<sup>th</sup> year.

Mayor Procuk read a thank you from the Wells family to the Fire Department (FF Borowy, FF Messich & FF Kraus) for their kind and compassionate treatment of their daughter when she was stung by bees at her T-ball practice.

### AUDIENCE

Home Days chair Anne Graham asked if they could use one bus for the money trailer and the other to transport seniors to the family dinner.

**MOTION: Mr. Walsh moved to use the Goshen bus as the money trailer for Home Days. Second by Mr. Black Motion passed 7-0**

**MOTION: Mr. Cichocki moved to use the new bus as a shuttle for Friday and Saturday evening for Home Days. Second by Mr. Walsh Motion passed 7-0**

Ms. Graham told council that the \$200 sponsor signs would be placed around the fence at Home Days and after the event they would be moved to the fence along the road going down the hill to the park. She would like the larger (\$500) signs hung on the fence at the ball diamond after the event.

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Mr. Hatgas said that the Service Department would hang them after Home Days and then maintain them.

Mr. Selig asked if they would come down in the winter and Mr. Hatgas answered yes and they would be put back up in the spring and maintained.

Mrs. Janiak told council that she wrote a letter to the Zoning Board of Appeals asking several questions regarding the proposed VFW building to be built on Schaaf Road. She said that the questions were never answered.

Mr. Doug Keller said that he read the list of questions to the ZBA and also asked some of his own questions and none of them were answered and that they voted anyway.

Mayor Procuk told her that the ZBA is not a legislative body but that they make recommendations to council and council makes the decision to either adopt or deny the ZBA decisions.

Mrs. Janiak said she would, at the very least, expect the questions to be answered before they make their decisions.

Mrs. Presot said she came near the end of the meeting and heard two of the questions answered. She said they answered the hours of operation and the question regarding security. Their answer was that if there is an event that requires security they would provide and pay for that. They would not rely on our police for security.

Mr. Keller feels that the ZBA did not have enough information to move forward with the vote. His hope is that council will at least get answers to the questions to make a fully informed decision. Mr. Keller also asked what the benefit to the village is. Is there additional tax revenue? What is the involvement in the community? He asked the questions prior to the voting and received no answers.

Mr. Lahiff stated that there are no employees so there won't be tax revenue.

Mayor Procuk suggested that an ordinance committee meeting be called.

Mr. Cichocki said that the vote of the ZBA was taken on July 2<sup>nd</sup> and that council does not meet again until August 7<sup>th</sup> which is beyond the 30 days so their decision would automatically stand.

Mrs. Presot set an Ordinance Committee meeting for Tuesday, July 10<sup>th</sup> at 7 pm. Mr. Selig asked that they have a Parks meeting to discuss the sanitary sewers at 7 pm and the Ordinance meeting at 7:30 pm.

The residents on Schaaf Road will be notified of the committee meeting as will the ZBA members.

Mr. Cichocki called a special council meeting on July 31<sup>st</sup> at 7:30 pm with an ordinance to approve and an ordinance to disapprove the building of the VFW on Schaaf Road.

**2<sup>ND</sup> READING - ORDINANCE 36-2012** - AN ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A CONTRACT WITH KIMBLE COMPANIES TO PROVIDE RESIDENTIAL SOLID WASTE AND RECYCLING REMOVAL SERVICES FOR THE VILLAGE OF BROOKLYN HEIGHTS (Changing both the solid waste and recycling pick-up day to Friday)

Sponsor: Mrs. Presot Second: Mr. Foote

Yeas: Presot, Foote, Selig, Lahiff, Cichocki, Black, Walsh

Nays: none

**Ordinance 36-2012 passed 7-0**

This ordinance will take effect thirty days from today (August 2, 2012).



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Mayor Procuk asked Mr. Johnson how they would notify the residents of the change.

Mr. Johnson thanked council for the opportunity to serve the village. He will put together a letter to explain the change of service day and the recycling bin. This will be sent out one day prior to the last collection day by the current company. He and a supervisor will drive the streets on the first Tuesday after the first Friday collection and pick-up any garbage that is out and leave a tag with the information of the new schedule.

### **ORDINANCE 38-2012: AN EMERGENCY ORDINANCE CONSENTING TO THE APPOINTMENT OF DOUGLAS J. KELLER BY THE MAYOR TO REPRESENT THE VILLAGE OF BROOKLYN HEIGHTS AS A MEMBER OF THE PARMA COMMUNITY GENERAL HOSPITAL ASSOCIATION**

Sponsor: Mr. Cichocki Second: Mr. Selig

Yeas: Cichocki, Selig, Walsh, Lahiff, Black, Foote, Presot

Nays: none

**Ordinance 38-2012 passed 7-0**

Mr. Keller thanked council for the formal appointment and said he is looking forward to representing the village and working with Nancy Hatgas on the board.

### **POLICE CHIEF**

Chief Algeri reported that the new cars (Chargers) are at the stripers and as soon as all the equipment in in and installed they'll be on the road.

We sold the Intrepid on EBay for \$1,300 thanks to the Fire Chief and we scrapped the burglary van for \$300. We took possession of the confiscated Toyota Camry and it will be used as our detective car.

The hiring process is moving along but we have to wait until after July 9<sup>th</sup> to complete the interview process because the 4<sup>th</sup> candidate is on military duty in Washington and should be home on July 9<sup>th</sup>.

**MOTION: Mr. Black moved to pay Integrity Verifications for the polygraphs on six candidates for \$960. Second by Mr. Foote Motion passed 7-0**

Chief Algeri reported that the part-timers are working out well filling open shifts.

Operation Med Drop has collected several pounds of unwanted/expired medications to be destroyed.

He stated that it was one year ago on Sunday that he was sworn in as Chief and he thanked council and the mayor for their support. He said "time flies when you're having fun. It's been mostly good".

Mayor Procuk asked that the "speed" trailer be moved around on Schaaf Road. He said they are still ignoring it and flying down Schaaf.

The Personnel Policies call for the Mayor, Police Chief and Fire Chief to pay the village \$50 per month for the incidental use of the village vehicle. Chief Algeri has asked to be relieved of that payment for the second half of this year because he will not use the car except for business. He will be using his personal motorcycle, truck or car and can respond to any non-emergency situation in his personal vehicle. If he needs the village car he can respond from the Municipal Center. Mayor Procuk informed Council that he will alleviate that payment to the end of the year.

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Chief Algeri said that two residents of W. 7<sup>th</sup> St were arrested on felony charges. One brother was arrested on drug trafficking charges in Cleveland and the other for burglary and drug offenses in Brooklyn Hts. The grandfather assures Chief Algeri that they will not be allowed back in the house when released from jail.

### FIRE CHIEF

Chief Lasky told council that the man who bought the car that was sold on EBay drove 250 miles on a Saturday to pick it up. When he found we were closed he called Chief Lasky who in turn called Clerk/Treasurer Clymer. Tim came in and did the necessary paperwork so we could send the gentleman on his way back home.

Chief Lasky asked for a motion to pay Valley View \$1,600 for Fit Test equipment to test our equipment. This will save us money over the long run. We are joining forces with several other communities for this purchase and it will be shared.

**MOTION: Mr. Walsh moved to pay Valley View \$1,600 for Fit Test Equipment for the fire department. Second by Mrs. Presot Motion passed 7-0**

Chief Lasky said that Independence will host their Fireworks display this evening and will be using our gator. They have asked that our department be on stand-by for emergencies so their units can be at the display in case of an emergency.

### SERVICE DIRECTOR

Mr. Hatgas asked for a motion to pay Air Conditioning Enterprises for fixing the air conditioner compressor in the Fire Department. It was an emergency (hot days in June) and needed to be fixed.

**MOTION: Mr. Black moved to pay the invoice of \$2,241 to AC Enterprises for the a/c compressor for the fire department. Second by Mr. Walsh Motion passed 7-0**

Mr. Hatgas wrote four grants totaling \$75,000 from the county. We are waiting for their decision.

### COMMUNITY SERVICE

Mrs. Guilfoyle stated that the blood drive scheduled for August is still a go. She has not heard otherwise.

Mrs. Guilfoyle said she has begun a Military project. The information is in the Breeze. She will be creating a scrapbook for past and present veterans and a picture board for the Municipal Center with a picture of active military.

QuadCityCERT is holding five raffles of 200 tickets each for I Pad II. She has tickets at \$5.00 each.

Mayor Procuk thanked Mrs. Guilfoyle for the Military Project. He said it is long overdue and a welcome addition up here.

Mayor Procuk would like Mr. Selig to call a meeting after Home Days to discuss the use of the busses as rentals for the residents.

Mrs. Guilfoyle said "GO AIR FORCE"

### RECREATION DIRECTOR

Mr. Presot reported that the baseball season is coming to an end. The playoffs begin next week and the picture packets have been handed out. He will get the sponsor plaques done now that he has the team pictures.



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Soccer sign-ups have begun and the deadline date is July 31<sup>st</sup>. Mr. Hatgas will get in on the marquee.

Mayor Procuik said that next year we will have the date of the soccer shoot-out district level early enough to avoid conflicts with our pictures dates.

### CLERK/TREASURER

Mr. Clymer reported that the general fund balance as of June 30<sup>th</sup> is \$1,896,973 which is an increase in the general fund of \$188,363 over last year.  
He said that the RITA numbers are up substantially.

### LAW DIRECTOR

No report

### ENGINEER

They're going to do the re-remediation of West Creek and it should be completed by September 30<sup>th</sup>.

We did not get the grant to combine the Service Department with Newburgh Heights.

The work on the Granger Road slope will begin shortly.

The county is sending out the agreement to Jerry concerning the Storm Water Sanitary Fund.

Mr. Cichocki asked if there was any information on the traffic signal being installed at the I-480 exit ramp and Granger Road. Mr. Henry said it is moving slowly but it could be that they are waiting for the heads to come in.

### BUILDING INSPECTOR

Mr. Socoloff reported that Kohler Rubber asked the ZBA for a variance for a sign to face Granger Road and was approved by the ZBA. He would like it to go before council at the special council meeting called for July 31<sup>st</sup>. He would also like the Cabinets to Go sign brought before council on the 31<sup>st</sup>.

### MAYOR'S COURT

Income	\$6,837.50
State of Ohio	1,476.00
Indigent Driver & Alcohol Fund	51.00
Cuy Cty Regional Info System	<u>160.00</u>
Balance to Brooklyn Hts	\$ 5,150.50

Mayor Procuik received an invoice from South Hills Hardware for cornstalks. Mr. Lahiff will pay from Park Board.

Mayor Procuik referenced a Plain Dealer article that talked about fees by NEORSD. He said the fees are still being discussed and this is just a newspaper report. Nothing has been assessed yet.

He would like to respond to the woman from the Blue Wave Swim Team regarding whether or not the village will be paying the \$30 per swimmer fee this year.

**MOTION: Mrs. Presot moved to let the parents pay the \$30 per swimmer fee this year. Second by Mr. Selig Motion passed 6-1 with Mr. Cichocki as a nay vote.**

Mayor Procuik said he would let her know to get her request in earlier next year.

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Mr. Cichocki and Mr. Selig would like to discuss fees at the Park meeting next week. Mr. Cichocki said he is all for NOT having fees for anything anymore. He said he heard Mr. Clymer say the general fund is up \$188k.

Mr. Presot referred back to Mr. Selig's comment about his travel baseball team. He said that council decided about 4 years ago not to sponsor or donate to any sports teams that overlap what we offer and

There is a baseball program in the village. He said we don't have a swim team that is why we would give to them.

The Park meeting will be changed to 6:30 to discuss sports fees.

Mayor Procuik said that there would be a County Wellness Alliance meeting on July 10<sup>th</sup> at 2pm downtown. Ann Hill from Metro Health will put together Weight Watchers materials and discuss a program that may be available through COSE for employees and residents at Strong Style on Granger Road in Independence. The program would run from August 21<sup>st</sup> to November 6<sup>th</sup>.

Amanda Domzalski contacted Mayor Procuik regarding a Brooklyn Hts. page in the PTO calendar this year. Mayor Procuik said we would just do the village officials.

August 23<sup>rd</sup> is the Cuyahoga Valley Chamber of Commerce picnic. It will be held poolside at the Holiday Inn Independence.

The quote from JV Janitorial is now in the Building Committee.

Mayor Procuik attended the Safety Town Graduation and complimented Officer Tulcewicz on another job well done.

Mayor Procuik would like to go into Executive Session tonight following the meeting to discuss the litigation with Safeguard, the Brooklyn Hts. Firefighters Association, a Worker's Comp case as presented and potential litigation with Mr. Rosby.

Mrs. Presot said that a tree has been purchased and will be planted in memory of Mayor Tonne. She will get an Arbor Day Celebration date set.

### **ORDINANCES & RESOLUTIONS**

#### **ORDINANCE 39-2012 – AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO ENTER INTO A CONTRACT WITH OTIS ELEVATOR COMPANY FOR THE MAINTENANCE OF ELEVATORS**

Sponsor: Mrs. Presot Second: Mr. Foote

Yeas: Presot, Foote, Lahiff, Cichocki, Black Walsh, Selig

Nays: none

Ordinance 39-2012 passed 7-0

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**ORDINANCE 40-2012 -0AN EMERGENCY ORDINANCE AMENDING ORDINANCE 44-2011  
AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A  
CONTRACT WITH THE VILLAGE OF CUYAHOGA HEIGHTS FOR DISPATCH SERVICES**

*This changes our contribution back to the level of \$115k for the duration of the contract*

Sponsor: Mr. Cichocki Second: Mr. Walsh

Yeas: Cichocki, Walsh, Presot, Foote, Selig, Lahiff

Nays: Black

Ordinance 40-2012 passed 6-1

**MOTION: Mrs. Presot moves to go into Executive Session to discuss Safeguard litigation, Brooklyn Heights Firefighters Association, a Worker's Comp personnel issue and potential Rosby litigation.**

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