

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD June 7, 2022 20

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on June 7, 2022 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, Blados, Lasky, Walsh
	Mayor:	Procuk
	Clerk/Treasurer:	Frank
	Law Director:	Dowling
	Assistant Law Director:	
	Engineer:	
	Police Chief:	Meade
	Fire Chief:	Stefanko
	Asst. Fire Chief:	Lasky
	Acting Service Dir:	Florjancic
	Bldg. Commissioner:	
	Asst. Bldg. Comm.	Sonenstein
	Comm. Service Dir:	Guilfoyle
	Recreation Dir:	Krzynowek
	Soccer Commissioner:	
	GUESTS:	Sarah S. Gnoddie

**MOTION:** Mr. Berzins moved to excuse Council Member Jennifer Presot from the attending the council meeting. Seconded by Mr. Walsh. Motion carried 4-0.

**MOTION:** Mr. Walsh moved to approve the minutes from the May 17, 2022 Council meeting. Seconded by Mr. Berzins. Motion carried 4-0.

### CORRESPONDENCE

- Thank you note from the CHS After Prom committee thanking the village for providing transportation to the Kalahari resort and shared that Jenny Blados is an excellent driver.
- West Creek Conservancy sent a reminder letter about the Up the Creek fundraiser on July 1, 2022 at the Metro Parks Zoo.
- Cuyahoga Heights Fire Chief Mike Suhy sent a letter to Fire Chief Stefanko regarding their response to a commercial fire at Charter Steel thanking them for their quick response and added that it is a comfort knowing we have such highly trained and qualified fire departments in our Cuyahoga Valley response area.
- The annual letter dated June 1, 2022 from the CHS Varsity Girls Soccer Coach asking for the use of our soccer field from August 1-12 from 7am to 10:30am and from August 1- the end of the season from 3-5pm.
- Thank you letter from COSI Greater Cleveland partnership for renewing our membership for health insurance.

### AUDIENCE COMMENTS

Sarah Gnoddie shared that she recently purchased 293 East Schaaf, the corner house at Shady Ridge Lane. There is a small easement on the parcel owned by the village and she is inquiring if anything can be done so that she could install a semi-privacy fence for the safety of her two young boys.

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Law Director Dowling told her they would go into Executive Session at the end of tonight's meeting to discuss it.

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

- We provided transportation for the CHS After Prom, as did Valley View and Cuyahoga heights to Kalahari for their after prom activity.
- Cuyahoga Heights Elementary is offering summer school and we will be providing transportation and already have several families signed up.
- Art in the Park begins next week and runs Monday, Wednesday and Friday for seven weeks. We have 61 kids signed up and 31 high school volunteers that I met with yesterday. We have a lot of new activities this year including a Safety Day with our Fire and Police departments. Thank you to both Chief Meade and Chief Stefanko for working with me on this.
- To update on the Little Free Library; it is continuously busy and we are continually stocking it.
- The Senior Lawn Cutting program is going very well despite the rain and the guys are doing a great job. Thank you to Acting Service Director Mike Florjancic and the department guys.

Mayor Procuik inquired if the Little Free Library was mostly used by children and she responded that it is equally used by children and adults.

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

- The Bike Patrol kicked off at the Memorial Day Parade and we received a lot of positive feedback. They are used in the residential areas and on night shift in the industrial areas.
- Two new officers were sworn in on May 17<sup>th</sup>. They went through a two week FTO program and are already on the schedule.
- An update on Lexipol and the Ohio Collaborative. Lexipol is the software that we use to update our policies and we've updated about 85% of the policies. We're at four of the seven so we've made a lot of progress and it has been Sgt. Leahy who is doing an excellent job.
- Starting June 13<sup>th</sup>, constitutional carry starts; basically meaning they've decriminalized a lot of gun offenses. You no longer need a permit to carry a concealed weapon. This makes our jobs a lot more dangerous and there are many questions about the law which we'll learn as case law dictates.
- I need to call a Safety Meeting to discuss three purchases. This is for body cameras, patrol rifles and electronic speed signs on Schaaf Road.
- Bike Patrols are out even though we've been a little low due to two officers out because of injuries and two officers in training.

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

- I need a motion to purchase fire safety turnout gear not to exceed \$2500. This is the ten-year necessary replacement.

**MOTION:** Mr. Walsh moved to approve the purchase of the turnout gear not to exceed \$2500. Seconded by Mr. Lasky. Motion carried 4-0.

- We're currently in the fire hydrant maintenance season which started Saturday. To date we haven't received any complaints. If you receive any calls please forward them to myself or Assistant Chief Lasky.
- Cuyahoga County is offering a train the trainer course for Rapid Task Force (RTF) and Active Shooter. We will be sending two people to become trainers and then work together with Chief Meade to put a drill together for our city or possibly with a neighboring community.
- We have been interviewing for a position on the Fire Department and we should be ready to swear in two new firefighters at the next council meeting.

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### SERVICE DEPARTMENT / MIKE FLORJANCIK

- We will need an ordinance to enter into a contract with Cargill for road salt for 2022 with an option for 2023. They came in at \$52.61 per ton, the lowest bidder and the cities in the consortium agreed to accept the bid.
- I need a motion to pay two bills from Lisco. One is for \$4,090 to fix the chiller circuit A and another for \$1,592 to fix the chiller circuit B.
- I also have a bill for Knolls Forestry for \$1,495 and a bill from Cuyahoga County for \$1,540 for street sweeping.

**MOTION:** Mr. Blados moved to approve the payment to Lisco in the amount of \$4,090. Seconded by Mr. Berzins. Motion carried 4-0.

**MOTION:** Mr. Blados moved to approve the payment to Lisco in the amount of \$1,592. Seconded by Mr. Lasky. Motion carried 4-0.

**MOTION:** Mr. Berzins moved to approve the payment to Knowles Municipal Forestry in the amount of \$1,495. Seconded by Mr. Walsh. Motion carried 4-0.

**MOTION:** Mr. Walsh moved to approve the payment to Cuyahoga County Public Works in the amount of \$1,540. Seconded by Mr. Berzins. Motion carried 4-0.

Councilman Lasky inquired about the tree stump removal from the trees that were removed and Mr. Florjancic told him that will be accomplished in the fall when they're planting additional trees and removing some that need to be taken down.

- The Mayor asked me to get a quote on a new water line to the drinking fountain by the soccer fields. It came in at \$1,165 and that's with the service department digging the trench.

**MOTION:** Mr. Walsh moved to approve the payment to Lexington Services, Inc. in the amount of \$1,165. Seconded by Mr. Blados. Motion carried 4-0.

- Pavilion #1 is being painted including the tables and will be completed by Friday. I would like the Building Department to take a look at the structure supports and do an assessment.

### RECREATION DEPARTMENT / DALE KRZYNOWEK

- All teams have been rolling since the middle of May, the majority of them on Diamond #2 which looks phenomenal.
- He thanked the Service Department for how great the ball field is and that it's known as the best field around.
- The Rec Director asked for a motion for payment of the coaches and umpire shirts, team uniforms, score books, etc.

**MOTION:** Mr. Walsh moved to approve the payment to Steve's Sports in the amount of \$3,898.50. Seconded by Mr. Lasky. Motion carried 4-0.

Mayor Procuk inquired about team and umpire staffing. The Rec Director explained that every kid-pitch league game has two certified umpires. The older kids are running the t-ball and coach-pitch games.

### BUILDING DEPARTMENT / HOWARD SONENSTEIN

- There have been a lot of complaints relating to grass cutting.
- Metro Health are renovating two of their buildings and will begin soon.

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- There is one item that we will discuss in executive session.
- The owner of the former JV Janitorial building is going to clean up the brush area that runs along their property and plant flowers. They would like to be reimbursed approximately \$300.

**MOTION:** All of council moved to approve the payment to Autobahn Extremist in the amount of \$300. Seconded by Mr. Walsh. Motion carried 4-0.

Mayor Procuik stated there is a house on West Sixth Street that is in disarray; the resident passed away and the house may be in foreclosure. We have an ordinance in place to take care of the property and put a lien against the property taxes to collect any money.

Mayor Procuik mentioned the Shredding Event on Saturday, June 18<sup>th</sup> from 9am to Noon at the Municipal Center.

### **ENGINEERING / MIKE HENRY (Read by Mayor Procuik)**

- The Galway Circle reconstruction will start within the next two weeks. A construction meeting was held and all residents should be notified before work begins. The Service Director confirmed the letters went out yesterday.
- The playground equipment has been built and should be shipped to us soon.
- The Village Hall drainage issue will be one of the ordinances before you tonight.
- The Spring Road sewer repairs are out for bid now and the village asphalt and concrete repair programs are to be authorized this evening.
- The revised agreement between Brooklyn, Parma, Brooklyn Heights and Cleveland is on tonight's agenda to be approved with all four communities.

### **LAW DIRECTOR / JERRY DOWLING**

- Tomorrow our Tax Board will hear the appeal of the employee (of one of our village businesses) who is asking for a tax refund. A representative from RITA will be attending.

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

- The month of May has closed and 10% (\$91,508) of our municipal income was transferred in the capital fund and \$30,000 was transferred into the 204 fund (Economic Development).
- We are closer to finalizing the reconciliation for the Visiting Nurses Association for their annual reimbursement.
- You can see on the monthly report that the general fund is at 2.6 million giving us a surplus in the general fund of \$661,000. The all funds surplus at this point is approximately \$928,000.
- Our cash receipts for the month were 1.1 million.
- We are operating at 41.67% of our annual budget at this time with five months complete or at 39.64% of our budget and an overall 2% under budget overall.
- Engineering costs are high at this time due to the large number of projects going on.
- Our first drop in June was \$531,000 less a fee of \$16,000 and a net profit of \$36,000, setting our municipal income as of June 1<sup>st</sup> at \$552,000.
- The auditor is coming in on Tuesday after months of exchanging files digitally. We go through the audit procedure every two years.

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### MAYOR'S COURT

Income for April	9,363.23
Victims of Violent Crimes	352.00
Drug Law Enforcement Fund	126.00
State Bond Surcharge	50.00
Seatbelt Violation	30.00
State of Ohio	1,000.00
Indigent Defense Support	1,629.00
Indigent Driver Alcohol Treatment Fund	54.00
Regional Enterprise Data Sharing System	180.00
Brooklyn Heights	7,500.23

### MAYOR'S REPORT / MICHAEL PROCUK

- The Mayor thanked the department heads and employees for their due diligence doing more with less and operating at 2% under budget.
- The revenue continues to surpass the prediction which was approximately \$233,000 for the first drop in June and it came in at \$552,000. Year-to-date we're at \$3,860,893 which is about \$800,000 more than the anticipated revenue. The general fund surplus is up by \$661,000.
- Our largest employer in the village, Fogg Enterprises, is bringing back its appreciation barbeque next Wednesday, June 15<sup>th</sup> at 11:30am.
- The Soccer Commissioner is already submitting to secure soccer referees for the fall season.
- We did qualify for Tree City USA for the 15<sup>th</sup> or 16<sup>th</sup> year in a row.
- The Ohio State Senate House Bill 512 that would increase employer's contributions to the Ohio Police & Fire Pension did not move out of Committee. House Bill 563 regarding temporary rentals Airbnb legislation was not considered on the floor. They did pass House Bill 687 worth more than 1 Billion dollars in incentives for the Intel project to move to Ohio. It was unclear whether House Bill 99 was signed easing training requirements for teachers and school employees to carry arms in the schools.
- All proposals have been distributed from Brilliant Sign and if council wants to call a committee meeting, to let him or the Clerk/Treasurer know.
- The Mayor reported that he testified for four days at the hearing on the Kurtz Brothers matter. It was decided by both attorneys what could be reported on. The hearing officer will receive briefs from the attorneys and render a decision or an opinion.

### BUILDING COMMITTEE / RAY BERZINS

- They met earlier this evening with a representative from CloudPermit to discuss new software for the Building department.

Council Member Lasky reported that he's trying to initiate a program working with the Fire Chief and Assistant Chief to clean and repaint the fire hydrants in the village. Community service hours will be available.

### CLERK/TREASURER REVIEWED THE SCHEDULED MEETINGS:

June 21 7:00 p.m. Safety Committee Body cameras, patrol rifles, speed signs



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### ORDINANCES & RESOLUTIONS

**ORDINANCE 49-2022** AN EMERGENCY ORDINANCE AUTHORIZING COMPENSATION TO MANSOUR GAVIN LPA FOR SERVICES RENDERED TO REPRESENT THE VILLAGE TO OBJECT TO LANDFILL EXPANSION

Sponsor: Mr. Blados

Second: Mr. Berzins

Yeas: 4 / Nays: 0

Ordinance 49-2022 is adopted 4-0

**ORDINANCE 50-2022** AN EMERGENCY ORDINANCE AMENDING SECTION 678.10(f) OF CHAPTER 678 CONCERNING FIREWORKS, OF PART SIX- GENERAL OFFENSE CODE OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BROOKLYN HEIGHTS; ADDRESSING AND OPTING OUT OF THE PROVISIONS OF AMENDED SUBSTITUTE HOUSE BILL 172 AND REAFFIRMING THE BAN IN THE VILLAGE OF BROOKLYN HEIGHTS ON DISCHARGING, IGNITING, OR EXPLODING OF FIREWORKS, AS SET FORTH IN CHAPTER 678 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: Mr. Walsh

Second: Mr. Berzins

Yeas: 4 / Nays: 0

Ordinance 50-2022 is adopted 4-0

**ORDINANCE 51-2022** AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK TREASURER TO ENTER INTO AN AGREEMENT BETWEEN THE MUNICIPALITIES OF BROOKLYN HEIGHTS, BROOKLYN, CLEVELAND, AND PARMA FOR THE BROOKPARK ROAD (CUY-SR 017-07.07) REHABILITATION PROJECT PID No. 89267 AND DECLARING AN EMERGENCY

Sponsor: Mr. Lasky

Second: Mr. Blados

Yeas: 4 / Nays: 0

Ordinance 51-2022 is adopted 4-0

**ORDINANCE 52-2022** AN EMERGENCY ORDINANCE AUTHORIZING THE CLERK/TREASURER TO MAKE PAYMENT TO CHAGRIN VALLEY ENGINEERING, LTD. FOR SERVICES RENDERED ON VILLAGE PROJECTS

Sponsor: Mr. Lasky

Second: Mr. Walsh

Yeas: 4 / Nays: 0

Ordinance 52-2022 is adopted 4-0

**ORDINANCE 53-2022** JUNE PAY ORDINANCE

Sponsor: Mr. Blados

Second: Mr. Lasky

Yeas: 4 / Nays: 0

Ordinance 53-2022 is adopted 4-0

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**RESOLUTION 5-2022** AN EMERGENCY RESOLUTION AUTHORIZING THE ENGINEER TO PREPARE PLANS, SPECIFICATIONS AND AUTHORIZE TO BID THE 2022 ASPHALT AND CONCRETE REPAIR PROGRAM

Sponsor: Mr. Blados

Second: Mr. Berzins

Yeas: 4 / Nays: 0

Resolution 5-2022 is adopted 4-0

**RESOLUTION 6-2022** AN EMERGENCY RESOLUTION AUTHORIZING THE ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR THE BROOKPARK ROAD (CUY-SR 017-07.07) REHABILITATION PROJECT PID No. 89267

Sponsor: Mr. Walsh

Second: Mr. Berzins

Yeas: 4 / Nays: 0

Resolution 6-2022 is adopted 4-0

**MOTION:** Mr. Walsh moved to go into Executive Session to discuss a real estate matter. Seconded by Mr. Lasky. Motion carried 4-0.

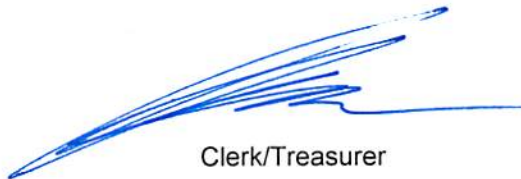
There being no further business to come before the council, it was moved by Mr. Lasky and seconded by Mr. Blados that the meeting be adjourned.

Yeas: All

Meeting adjourned.



Mayor



Clerk/Treasurer