

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD: November 8, 2023

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on November 8, 2023 at 7:00 p.m. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:

Council Members	Berzins, Lasky, Presot, Tommer, Walsh
Mayor	Procuk
Clerk/Treasurer	Frank
Law Director	Dowling
Assistant Law Director	
Engineer	Zoldak
Police Chief	Meade
Fire Chief	
Asst. Fire Chief	Lasky
Service Director	Blados
Bldg. Commissioner	
Asst. Bldg. Comm.	Sonenstein
Comm. Service Director	Guilfoyle
Recreation Director	Krzynowek
Soccer Commissioner	Shadd

GUESTS: None

MOTION: Presot moved to approve the October 3, and October 17, 2023 Regular Council meeting minutes. Seconded by Tommer. Motion carried 5-0.

CORRESPONDENCE / MAYOR PROCUK

- A letter was received from the Baudo family. There was no ceremony so the Village sent a party tray in lieu of flowers.
- A letter was received from Brian Sturgill, Chief of Police for Cuyahoga Heights recognizing Officer Liz Barnica for her help with traffic chaos during the October 12th bomb threat at the school.
- Correspondence from Nino Monaco, dated November 23rd, to Lisa Samoly at 720 Tuxedo advising her to remove the illegally placed cement driveway by November 30th to avoid further action. A complaint was made October 15, 2023 that she was using top soil to cover up the slab which may change the established grade and could affect the abutting property.
- Letter of notification was received from ODOT concerning their project to replace the deck on Interstate 480 East and West bound, the bridges to I-77 over the main line I-480 in Independence, currently scheduled to begin after January, 2025.
- Mayor Mike shared how proud he is to live in Brooklyn Heights, congratulating the four candidates on a job well done and his appreciation for keeping the race clean this past election.
- Mr. Berzins thanks the Women's Service Club and Service Director Blados on behalf of Chadwick Robinson for their assistance with setting up the cross country awards ceremony.

POLICE DEPARTMENT / DAVE MEADE

MOTION: Presot moved to pay A&S Animal Control \$1,125.00. Seconded by Walsh. Motion carried 5-0.

- Update on the flock cameras: They had another one installed and it's up and running. As soon as construction is done the last one will go up. They're still waiting on the installation date for the camera in the park.

FIRE DEPARTMENT / MIKE LASKY

- Chief Stefanko is home since he had his surgery last Friday and is doing well.
- They want to replace the department computers, they are 10-12 years old and John Triner said they are not protected anymore. The quote he came up with is \$6,000 for the computers, and the legislation is for \$7,000 to cover the installation.
- Chief Lasky wants to let residents know the hospitals are extremely busy right now and if you're taken in by ambulance you may sit anywhere from 45 minutes to an hour and a half.
- He has been working with the Building Department, going over the occupancy, making sure everyone has their permit. They do this for two reasons; they want to know what kind of business is there and want to make sure they're paying the proper taxes to Brooklyn Heights.

SERVICE DEPARTMENT / JOE BLADOS

- They received a check for approximately \$3,000 for services performed over the summer at 5085 West 6th, the abandoned house. He thanked all departments involved.
- They received the new leaf vac. There is no schedule for leaf pick up, because the guys have been going out daily or as needed and it seems to be working out with no resident complaints. They will continue leaf pick up and senior lawn cutting for as long as weather permits.
- The salt bins are fully stocked, and ready for winter, and the plow schedule started November 1st. Mr. Blados received a call at 1:30 am that the roads were covered and slick. He had two trucks ready to go and they salted, and once more at 3:30 am.
- Mr. Blados stated he's been working with Chief Meade in regards to how many street lights are out in the Village. They both agree it's unacceptable and want to know why it's not getting done. Mayor asked who Mr. Blados has been in contact with about it and he responded that he spoke to Dave Connelly.
- Mr. Blados has been working with the Engineer on the grants for the water bottle station and the chipper. He submitted a quote and they should have everything in place by December 1st, and should know something by early 2024.
- Over the next two weeks they will be winterizing the park bathrooms and putting down winter fertilization as well as over seeding the grass, and next week we will start putting up Christmas lights.

MOTION: Berzins moved to pay Silko Fire \$3,097.50 to be compliant and, replace missing fire extinguishers. Seconded by Presot. Motion carried 5-0.

COMMUNITY SERVICES / THEA GUILFOYLE

MOTION: Walsh moved to pay \$2,065.00 to Lori's Custom Catering for Meals on Wheels for the month of October. Seconded by Lasky. Motion carried 5-0.

- To date they've distributed 89 sets of building plans. November 30th, is the last day residents can request them and they will be destroyed December 1st.
- The all- Village mailer went out yesterday.
- The Remembrance Celebration is November 29th, at the Community Center at 6 pm. The deadline to order ornaments is November 15th.
- Project Hope is well underway and they are helping 6 families with Thanksgiving meals and have 8 families signed up for assistance with Christmas gifts which is 18 kids. The wish tags are on the window at the Municipal Building, they started off with 78 tags and there are only 7 left. Gifts are due back December 1st. She thanks Unifirst and Ohio Desk for helping them this year.

- She had the first onboarding meeting with Civic Plus for the new website last week and they have our initial information to begin. Initial training for My Rec is complete, and there will be more training as we go along.
- They received the \$4,000 Art in The Park grant reimbursement for 2023 and that was turned over to Aaron Frank. November 15th, is the day they find out if they are approved for the 2024 grant. They will be holding two winter-break Art in The Park sessions on December 27th and 29th, at the Community Center from 12:30 to 2:00. They will be reaching out for student volunteers.
- Senior Snow Removal is moving along and they have 81 seniors signed up. The contractor will be putting up driveway markers shortly.
- They have had several residents interested in the Home Heritage Program. This is set up to be an automatic renewal. In the last six months there have been 22 homeowner, one technical assistance and three per-site visits that equal a potential value of \$192,000. The cost for 2024 is \$720.

MOTION: Berzins moved to pay The Home Heritage Program \$720.00 for 2024. Seconded by Presot. Motion carried 5-0.

- Carol Mason and the Jazzercise ladies want to thank Mayor Mike and Council for allowing them to use the community center for a few classes while Seven Hills was unavailable.
- If no one has any objections she would like to take down the racks downstairs with the literature she started years ago and replace it with a rack that mounts on the wall, and only have current materials.

RECREATION DIRECTOR / DALE KRZYNOWEK

- The Junior Cavs program is something other communities are doing. They charge their players \$35-\$40 each. The kids get a reversible jersey and two tickets to a Cavs game. There is still an opportunity to do this but he doesn't think the timing is right to go back and try to recoup \$35 per player and wants to know if this is something council wants to cover. They currently have 29 kids in their program and they would cover Brooklyn Height's kids only. The kids we borrow from surrounding areas, their community would cover the cost. The kids would wear the jerseys during games and keep them at the end of the season.

MOTION: All of Council moved to cover the cost of The Junior Cavs Program for Brooklyn Height's basketball players. Seconded by Tommer. Motion carried 5-0.

SOCCER COMMISSIONER / NARLIN SHADD

- The soccer season ended October 28th. Standings are as follows, U-9 Red team was the stronger of the two divisions, and they came in 5, 2, and 1. The U-10/11 team came in 2, 4, and 2. The Dynamites had a very good season only losing one game.
- We learned that another city was using travel league players on their rec team which is against the rules. Mayor Mike inquired about this being allowed in baseball and softball, and it is but not in soccer. The issue was taken to the league director and it was taken care of.
- Mayor Mike stated he hopes that we get enough kids next season to have a boys and girls team, explaining that if we don't get enough girls and boys they don't get to play. There can be co-ed teams but they can only play against boys teams. They can't have a co-ed team and take it into a girl's league.

ENGINEER / JENNY ZOLDAK

- Ms. Zoldak stated that they don't have a definite end date for the Granger construction project but she is hopeful it's still the end of November. They will be back out in the spring for the lighting.
- Mr. Lasky expressed concerns about the lights on Tuxedo over the bridge and not being able to see walking. Ms. Zoldak will contact ODOT in the morning.
- Spring Road update: They did our final payment to Tri-Mor and our final OPWC disbursement, and the project is 100% complete. They put in for our reimbursement from the County in the middle of October, and the reimbursement should be received by the Village this month.
- As Mr. Blados mentioned, they are working on the EPA grant.

- Next Tuesday, November 14th, will be a public hearing for the Community Development Supplemental Grant. The application for that is due November 28th, and should find out if we're approved by March 1st.
- Mayor Mike asked Ms. Zoldak to explain what the grant is for. She responded it would be for a pickle ball court at Dorset Park. If awarded the amount would be \$50,000 and that would cover most of the cost. The asphalt is pretty pricey due to the little amount used. Mayor Mike stated that if we get the grant we would take a look at the antiquated equipment at the park and try and do a little revamp of Dorset mini-Park. Ms. Zoldak thoughts were to vacate the right of way and consolidate the parcels the village owns to create a park perpetuity and put deed restrictions on the park so Dorset cannot be extended and a development put there. Mr. Gwynn asked about potential income for those parcels if they were to be developed versus the amount we're going to lose for developing it into a park permanently. Ms. Zoldak stated she had not done the research yet to see if there are any existing deed restrictions currently in place making it a park. She also stated the topography of that is very challenging and she doesn't know if those parcels in particular would be buildable.
- She attended the County's Department of Development meeting today to get an update about the Brownfield remediation program. The state has not officially released any of the guidelines yet, as soon as it's available they will let us know.
- The Valley Belt OPWC application was submitted. The scoring is not released yet. They did release that 39 applications were received, for a total of approximately \$53 billion in funding requested. There is approximately 30 billion available. 11 applications are from small governments, one of which is Brooklyn Heights- the top 5 projects of those 11 are eligible for funding through the OPWC Small Government Commission Program, which is where we really hope our project will be funded.
- Mayor Mike asked Ms. Zoldak to expand on the marketing and Michelle Petitti. She stated that Chagrin Valley Engineering hired Michelle Petitti as a marketing specialist. She is working with all of their municipalities doing more than just engineering. Chagrin Valley wants to be more involved by coming to more events or sponsor events. They want to be a more active presence by volunteering and helping out more at village events.
- Mayor Mike inquired about the 2024 contract with the percentage increase of 2.89%. They are requesting an increase in hourly rates. This is work they do outside of what is covered in their retainer. They are requesting anywhere from 2% to 4%. It averages less than a 3% increase in hourly rates for 2024. They are also requesting a \$1,600 increase in the annual retainer from \$20,400 to \$22,000.
- Mayor Mike asked about the lines on Tuxedo and if ODOT is going to paint them. Even though they didn't work there, their equipment and the dust and dirt have made the lines pretty much disappear. Ms. Zoldak will reach out to ODOT tomorrow. If not, they received quotes a few months ago and she will reach out to those contractors to see if they can get it done before winter.
- Mr. Berzins asked if they anticipate being under their spending limit. Mr. Blados believes it was right around \$3,300 to have the whole thing done.

MOTION: Berzins moved to pay an amount not to exceed \$3,500 to have the intersections repainted. Seconded by Tommer. Motion carried 5-0.

BUILDING DEPARTMENT / HOWARD SONENSTEIN

- Everything is going along smoothly with their inspections. The Oat Haus is up and running.
- They've been getting occupancy inspections completed and making them display the permits.
- They received a letter back from Lisa Samoly asking for more time to remove the illegal concrete slab in her driveway. She says she knows it needs to be removed and is asking the Village to give her until the end of May, they agreed to give her until the end of November.
- Mayor Mike asked Mr. Sonenstein about the Airbnb incident over the weekend. The owner got a rental inspection but the owner never said it was going to be an Airbnb. Over the weekend there was a disturbance with over 20 people having a party and the police were called. He did reach out to the owner and was assured all future bookings have been cancelled and it will no longer be an Airbnb.

- Mr. Dowling said that they are currently in a moratorium and they should start thinking about putting in their own legislation on short term rentals.

CLERK TREASURE / AARON FRANK

MOTION: Walsh moved to pay Clemens Nelson \$1,057.50 for Service Department position descriptions. Seconded by Berzins. Motion carried 5-0.

MOTION: Presot moved to pay Bricker Graydon LLC in the amount of \$2,302.50 for dealing with the waste collection discussions. Seconded by Walsh. Motion carried 5-0.

- Correspondence was received from Ted Biskind and he would like to send the dental insurance for village employees out into the marketplace to shop for better coverage at a more affordable rate. Aaron gave him the okay to start shopping.
- Current costs are \$29.41 per employee; \$39.12 for employee plus spouse; plus children; plus one dependent; and plus family. The renewal from Unum would be \$39.12 for employee and \$123.36 for the other four categories.
- There is a surplus in the General Fund it will begin the year with \$2.6 million and in they have almost \$2.9 million giving them about a \$250,000 surplus.
- The Capital Fund is at \$4,966,000. They didn't hit the anticipated \$5 million because they took the guard rail money out of their state highway patrol fund.
- First report reflecting the \$159,000 from the West Resource Drive fund was moved to the 492 Spring Road Reconstruction Fund. As soon as they get the bill from OPWC they will have a discussion on if they can put the whole \$150,000 toward principle.
- The first RITA deposit of the month was \$549,000 and change. The 2022 RITA drop was \$579,000 in total, they still have that second drop to come. They have officially outdone the prediction of \$7.2 million and are at \$7.4 million in municipal income with a month and a half left to go and three more drops.

MAYORS REPORT / MAYOR PROCUK

- They were anticipating only \$404,000 for the RITA drop and \$144,000 more than expected came in. Year to date they have crossed a threshold of \$7.4 million in collections. They are about \$781,000 ahead of the plan. The second drop is always smaller with an average of about \$92,000. December usually averages around \$498,000. They might cross the \$8 million threshold!
- Department heads are doing a phenomenal job. They're operating 1.85% under budget. The police Department is operating almost 7% under budget, and Fire is operating almost 5% under budget. They are still operating at a better dollar for dollar than they ever did before with being fully staffed.
- The General Fund is at \$42.87 million and they brought in \$250,000 more than they spent out of the General Fund. If they take the total of the Economic Development Fund and add employee retirement, the General Fund surplus would be at \$3.7 million. The village has been able to accomplish about \$5 million in capital improvements this year through infrastructure, park improvements, purchases of new equipment and utilizing grant dollars where possible.
- Mayor Mike suggested to go down to what used to be called Safeguard which is Resource Drive and see what they're doing with West Creek. They are doing an almost \$5 million dollar stabilization project.
- Mr. Frank pointed out that the Economic Development Fund has \$700,000 and when he took over this seat in 2018 their General Fund didn't even have that amount.

MAYORS COURT / MAYOR PROCUK

Income for October	\$16,057.40
Victims of Violent Crimes	\$522.00
Drug Law Enforcement Fund	\$192.50
State Bond Surcharge	\$75.00
Seatbelt Violation	\$90.00
Child Restraint	\$75.00
State of Ohio	\$2,419.50
Indigent Defense Support	\$1,465.00
Indigent Driver Alcohol Treatment Fund	\$82.50
Bond Forfeitures	
Regional Enterprise Data Sharing System	\$265.00
Brooklyn Heights	\$13,290.40

- Mayor Mike attended the empowering local leadership conference in Washington DC, which was when we didn't have a Speaker of the House. He was down there when all the cameras were outside of Jim Jordan's office. They still had some good speakers. At a reception, Max Miller came in and some of the other reps, every one of them stood up at the podium and said "we have to start working together, we have to stop this partisanship, we have to get busy and get a Speaker of the House." What he found very refreshing and interesting was the speaker from the Center for Countering Human Trafficking, Homeland Security. He sought the gentleman out afterwards and introduced himself and told him we have a facility right here. He told Mayor Mike that our facility here in Brooklyn Heights is one that his agents try to get into because it's such a great place to work. While that was very refreshing to hear he said the trip was not as productive as in the past due to all of the distractions that were going on with Congress. Dave Joyce was very good to them as well as Max Miller. He thinks they are going to utilize some of their resources to visit a resident's complaint about the ODOT and noise barriers.
- Mayor Mike got an email from the Division of Forestry which he forwarded to Mrs. Presot. It's time to start filling out that paperwork so we can maintain our Tree USA status.
- He attended the Mayor and Manager annual banquet where they awarded the George V. Voinovich award for municipal service. This year they recognized Mayor Ruby from Brecksville and Mariela Castro from Bratenahl and Kristen Warzocha from the Cleveland Food Bank.

COMMITTEE REPORTS

- Mr. Berzins stated they had a Building Committee meeting at 7:00 pm to discuss accepting a proposal from Silko Fire and Security to upgrade their fire panels. He said their pricing was more cost effective than their competitors. The cost is just under \$7,500 for the hardware upgrades and service fees roughly in the amount of \$210 per month. Mayor Mike asked if we're going through with it Mr. Berzins responded yes.

ORDINANCES & RESOLUTIONS

RESOLUTION 19-2023 A RESOLUTION REQUESTING PUBLIC UTILITIES COMMISSION OF OHIO (PUCO) TO EXPLAIN TO OHIO CITIZENS THE RATIONALE FOR ALLOWING UTILITY COMPANIES TO INCREASE THE COST OF TRANSPORTATION OF GAS AND ELECTRIC COMMODITIES

Sponsor: All of Council

Second: Berzins

Yeas: 5 / Nays: 0

Resolution 19-2023 is adopted 5-0

ORDINANCE 94-2023 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO ENTER INTO AN AGREEMENT WITH THE CITY OF NORTH ROYALTON FOR THE HOUSING OF BROOKLYN HEIGHTS PRISONERS (second reading)

Sponsor: Presot

Second: Tommer

Yeas: 5 / Nays: 0

Ordinance 94-2023 is adopted 5-0

ORDINANCE 97-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE CLERK/TREASURE TO MAKE PAYMENT TO CHAGRIN VALLEY ENGINEERING, LTD. FOR SERVICES RENDERED ON VILLAGE PROJECTS

Sponsor: Lasky

Second: Berzins

Yeas: 5 / Nays: 0

Ordinance 97-2023 is adopted 5-0

ORDINANCE 98-2023 AN ORDINANCE AMENDING SECTION 452.03 (n) OF THE VILLAGE OF BROOKLYN HEIGHTS CODIFIED ORDINANCES

Sponsor: Walsh

Second: Tommer

Yeas: 5 / Nays: 0

Ordinance 98-2023 is adopted 5-0

ORDINANCE 99-2023 AN EMERGENCY ORDINANCE AUTHORIZING PAYMENT TO TECTRONIC OFFICE SALES AND SERVICE (TOPSS) FOR COMPUTER UPGRADES FOR THE BROOKLYN HEIGHTS FIRE DEPARTMENT

Sponsor: Presot

Second: Walsh

Yeas: 5 / Nays: 0

Ordinance 99-2023 is adopted 5-0

ORDINANCE 100-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO PURCHASE A TRACTOR FROM JOHN DEERE & COMPANY

Sponsor: Presot

Second: Lasky

Yeas: 5 / Nays: 0

Ordinance 100-2023 is adopted 5-0

ORDINANCE 101-2023 NOVEMBER PAY ORDINANCE

Sponsor: Walsh

Second: Presot

Yeas: 5 / Nays: 0

Ordinance 101-2023 is adopted 5-0

MOTION: Berzins moved to go into Executive Session to discuss negotiations. Seconded by Tommer. Motion carried 5-0.

RETURN FROM EXECUTIVE SESSION

There being no further business to come before the Council, it was moved by Presot and seconded by Tommer that the meeting be adjourned.

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer