

# COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

## MINUTES OF A MEETING

HELD \_\_\_\_\_ June 1, 2021 \_\_\_\_\_ 20 \_\_\_\_\_

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on June 1, 2021 at 7:30 P.M. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:	Councilmen:	Blados, Lahiff, Lasky, Presot & Walsh
	Mayor:	Procuk
	Clerk/Treasurer:	Frank
	Law Director:	Dowling
	Engineer:	Henry
	Police Chief:	Meade
	Fire Chief:	Stefanko
	Asst. Chief:	Lasky
	Service Director:	Hatgas
	Bldg. Commissioner:	
	Asst. Bldg. Comm.	Sonenstein
	Comm. Service Dir:	Guilfoyle
	Recreation Dir:	Krzynowek
	Soccer Dir:	
	GUESTS:	Jake / NIDEC

**MOTION:** Mrs. Presot moved to accept the minutes of the May 4, 2021 and May 18, 2021 regular council meeting as distributed. **Seconded by Mr. Walsh** **Motion carried 5-0**

### CORRESPONDENCE

- Letter dated May 4, 2021 from the Greater Cleveland Safety Council announcing that the Worker's Compensation rebates will remain suspended due to COVID-19.
- Letter dated May 25, 2021 from State Senator Nickie Antonio / Ohio District 23 regarding sub bill 157 (Municipal Income Taxes). *ATTACHED*

### ORDINANCES & RESOLUTIONS

**ORDINANCE 38-2021-** AN EMERGENCY ORDINANCE *AFFIRMING* THE DECISION OF THE ZONING BOARD OF APPEALS GRANTING THE APPLICATION OF NIDEC TO ALLOW A SECOND GROUND SIGN AT THE S.E. CORNER OF THE PROPERTY LOCATED AT 243 TUXEDO AVE

Sponsor: Mr. Lasky

Second: Mr. Blados

Yeas: Lasky, Blados, Lahiff, Presot & Walsh

Nays: None

Ordinance 38-2021 is adopted 5-0

*Note: Mr. Sonenstein reiterated that there is to be no illumination of this sign.*

**ORDINANCE 39-2021-** AN EMERGENCY ORDINANCE *REVERSING* THE DECISION OF THE ZONING BOARD OF APPEALS GRANTING THE APPLICATION OF NIDEC TO ALLOW A SECOND GROUND SIGN AT THE S.E. CORNER OF THE PROPERTY LOCATED AT 243 TUXEDO AVE.

*Note: Due to the passage of Ordinance 38-2021 this ordinance (Ordinance 39-2021) is a moot point.*

### AUDIENCE

None

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### BUILDING DEPARTMENT

- Continuing inspections both commercial & residential
- There has been an upswing in the number of "point of sale" inspections and re-inspections. Mayor Procuk asked why the houses are in a bidding war and he said our property values have never been higher.

### ENGINEER

- Mr. Henry said that Specialized Construction did some water repairs at Tuxedo & 6<sup>th</sup> St., Tuxedo & 4<sup>th</sup> St. and some grinding at Lancaster. The water repairs will be reimbursed by Cleveland Department of Water.
- Prepare the OPWC grant application for Brookpark Road work from I-480 to W. 130<sup>th</sup>. The grant is to pay the 20% that ODOT does not cover.
- There will be additional grant applications between ODOT and the village and also OPWC in September.
- Mayor Procuk asked if there is any update on the Master Plan and Mr. Henry said he is working with Nicole on some comments she has made regarding the plan.
- Mr. Blados asked if the final landscaping repairs have been done on 5<sup>th</sup> Street. Mr. Henry said that they have some asphalt repairs and the final chip & seal to be done.

**MOTION: Mr. Blados moved to pay Valley Ford \$3,232.31 for repairs to the F-650. Seconded by Mr. Lahiff Motion carried 5-0**

**MOTION: Mr. Walsh moved to pay Concord Road Equipment \$3,567 for repairs to the Sterling (Jumbo) salt truck. Seconded by Mrs. Presot Motion carried 5-0**

**MOTION: Mr. Walsh moved to pay Cuyahoga Landmark \$3,410 for repairs to the veeder root probe that monitors the diesel fuel consumption in the diesel fuel pumps. Seconded by Mr. Lahiff Motion carried 5-0**

- Mr. Hatgas told council that the ordinance tonight regarding the salt consortium will set the price at \$45.97 per ton which is a \$17.44 savings per ton over this past contract. The contract states that if we cannot get the salt from Compass in a reasonable amount of time we can purchase it elsewhere and Compass would be liable for the difference in pricing.
- Mr. Blados asked the difference between treated and untreated salt and Mr. Hatgas replied that the treated has a sodium chloride at a cost of \$62.28 per ton. We have not used treated salt in several years.
- Trash pick-up will be on Saturday due to the Memorial Day Holiday. (to be put on Marquee)
- Mayor Procuk said the Derbin family called and would like the memorial service this Friday for Dennis advertised on the marquee so trash can be put up on Friday.
- Mr. Lasky asked how much salt we have to purchase for next year. Mr. Hatgas said 650 tons and we have to meet 80% of that. We still have to purchase 140 tons for this contract by November 30<sup>th</sup>. We have plenty of room to store it.
- Mr. Lasky asked for an update of the new F-250 and Mr. Hatgas said we have it in house and he has to talk to Cenweld about a minor problem.

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**ORDINANCE 41-2021-** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK/TREASURER TO PARTICIPATE IN THE PURCHASING CONSORTIUM, HEADED UP BY THE CITY OF BRECKSVILLE, FOR THE PURCHASE OF TREATED ROAD SALT FROM CARGILL SALT CO. (CARGILL INC. DEICING TECHNOLOGY) AND UNTREATED ROAD SALT FROM COMPASS MINERALS

Sponsor: Mrs. Presot

Second: Mr. Blados

*Discussion: Mayor ProcuK asked if this is the same contract as the last five (5) years. He said we are obligated to purchase a predesignated amount.*

Yeas: Presot, Blados, Walsh, Lasky & Lahiff

Nays: None

Ordinance 41-2021 is adopted 5-0

Mayor ProcuK excused Mr. Hatgas from the remainder of the meeting.

### **COMMUNITY SERVICES**

- **MOTION: Mr. Lasky moved to pay American Fleet \$1,421.61 for repairs to the big bus. Second by Mrs. Presot Motion carried 5-0**
- Mrs. Guilfoyle thanked Mechanic Mike Florjancic for his work in getting the bus repaired and ready for the After-prom trip to Kalahari on May 22<sup>nd</sup> and for the summer use.
- Mayor ProcuK asked how old the bus is and she responded 20 years. He asked her to be on the look-out for a grant that would help us purchase a new safe bus for the seniors.
- Art-in-the-park sign-ups begin tomorrow, June 2<sup>nd</sup>. The program will begin on June 14<sup>th</sup>.
- There are sixty-five (65) seniors signed up for the lawn cutting program
- They held a drive-thru for Older Americans Month and 60 seniors were treated to lunch by Lori's Catering and handed a small goody bag.
- The Senior Essay contest was judged by the council members and the winners are: Barb Nitzsche 1<sup>st</sup> place, Jeanne Ziegler 2<sup>nd</sup> place and Joy Foote 3<sup>rd</sup> place.

### **RECREATION DIRECTOR**

- The baseball / T-ball season is underway and there are 140 kids playing.
- Thank you to the sponsors: Presot Masonry, Dean Diversified, Cuyahoga Valley Heating & Air Conditioning, Aaron Frank Clerk/Treasurer, Councilman Joe Blados, Lasky Landscaping & Concrete, Councilman Matt Walsh, South Hills Hardware, Chagrin Valley Engineering and Charlie's Plant Place.

**MOTION: Mr. Blados moved to pay Steve Sports \$3,802.75 for baseball & softball equipment and uniforms. Seconded by Mr. Lasky Motion carried 5-0**

- Mayor ProcuK urged Mr. Kryznovek to waive any late fees or non-resident fees in order to recruit additional players for the boys Pony teams.

### **FIRE DEPARTMENT**

- Hydrant flushing will begin June 5<sup>th</sup> and run through June 19<sup>th</sup>.
- We may take ownership of the new squad in late July
- The 2006 squad had to be towed to Gillingham Ford for repairs. No cost estimate as of today.
- The new cadet will be on the schedule as of June 3<sup>rd</sup>.
- Training is moving along.



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### POLICE DEPARTMENT

- MOTION: Mrs. Presot moved to pay Parma Police Department \$3,000 for a Memorandum of Understanding for mobile phone forensics. Good for one (1) year from date of signing. Seconded by Mr. Walsh Motion carried 5-0
- MOTION: Mr. Lahiff moved to accept a Memorandum of Understand with Block Safety for a plate reader and camera. No cost to the village in the hopes that after we use it we will want to purchase it. Seconded by Mr. Lasky Motion carried 5-0
- MOTION: Mr. Blados moved to pay Clark & Associates \$1,320 for the printing of 2,000 traffic tickets. Seconded by Mr. Lasky Motion carried 5-0
- MOTION: Mr. Blados moved to pay Axon \$3,957.42 to pay for three (3) Tasers and six (6) cartridges. Seconded by Mrs. Presot Motion carried 5-0
- Ptl. Watson pulled over and OVI and found a gun in the vehicle. The gun was linked to a shooting in Garfield Heights and in Columbus. With our arrest he has been charged with attempted murder and assault in Columbus.
- Jamie Meder has two (2) weeks left on his training.
- Ptl. Cody Alflen will be the point man for Safe Kids and with the use of grant money we will be able to open up the programs again.
- Update on the Body Cameras: awaiting paperwork to apply for the grants.
- Fifty-one (51) candidates tested through the National Testing Network. We have twelve (12) going through the background checks. We hope to have three (3) to swear in at the first meeting in July.

### LAW DIRECTOR

- Rosby Resource and Kurtz Bros. are looking to expand their businesses on Schaaf Road and it has turned into opening a new landfill. There will be a public hearing via ZOOM on June 28<sup>th</sup>. As soon as Anthony Coyne has any information Mayor Procuk will get it out to the residents so, if they choose, they can attend the ZOOM meeting to discuss any expansion in Brooklyn Heights.

### CLERK / TREASURER

- Received a letter from R.I.T.A stating that the House passed Sub house Bill 157 on May 26, 2021 which modifies the temporary municipal income tax provision related to withholding during the COVID-19 state of emergency
  1. This is not final as it must be taken up by the Senate and could potentially be changed by the Senate.
  2. All of the litigation surrounding this issue protects your 2020 will continue until / unless the General Assembly addresses this issue.
- Mayor Procuk said he received an e-mail late today stating that the Senate accepted a substitute bill in committee which includes language that allows municipal tax payers to apply for refunds for the tax years 2020 and 2021 if they worked from home. He will be on a call tomorrow opposing this.
- The first R.I.T.A. drop was \$227,001.15
- We received our annual retainer refund
- Will be closing the month of May and will have the reports out on Friday.
- Moved 5% - \$38,857 into the Capital Fund
- Moved \$30,000 into the 204 fund.
- We received one (1) bid on the Van Epps property which came in at \$8,000 which is \$12,000 under our minimum bid of \$20,000. Law Director Dowling said that council can dismiss the bid and start over. Council feels they should wait and put it out at a later date. We are under no obligation to discuss a bid that comes in under our minimum. A letter will be sent to the bidder and let them know that it will be advertised again later in the year.

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- Mr. Blados asked if they approached us asking to purchase the property and Mayor Procuk stated that both the commercial property owner and a residential owner asked to purchase the property a few years ago. We did send both a copy of the appraisal and we are under no obligation to accept a bid lower than our minimum.
- Mr. Frank asked how long an appraisal is good for and Mr. Sonenstein said usually about six (6) months.
- Mayor Procuk said we will revisit this in the third (3<sup>rd</sup>) quarter.

### ECONOMIC DEVELOPMENT

- There is an eminent deal for 600 W. Resource and that will 100% fill the building.
- Working to fill the old Roofing Supply building at the end of Spring Road.

### MAYOR'S COURT

• Income for May	\$ 7075.03
• State of Ohio	( 1040..50)
• Indigent Driver & Alcohol	( 34.50)
• Reg. Enterprise Data Sharing System	( 105.00)
• BROOKLYN HEIGHTS	\$ 5,895.03
	June 1, 2021

### MAYOR'S REPORT

- Per the mailer that went out last week:
  - The Community Center will be open to all Service Club meetings and their sponsored classes, senior activities and resident hall rentals.
  - The Hal-court basketball hoops will be installed for resident-only plat.
  - Park restrooms will be open and the porta-pots at Diamond 3 will remain.
  - Resident park pavilion permits will be available on Monday, June 7<sup>th</sup> at 8:30 a.m. in person at the Municipal Center. Masks will continue to be worn inside the building.
  - Youth baseball games have begun and WSC concession stand is open.

### COMMITTEE REPORTS

- Mr. Blados asked about the status of the healthcare and Mr. Frank said that Val and he had to reach out to a few employees regarding the questionnaire.
- Mr. Lahiff asked if it has been sent out to the other two brokers and Mr. Frank said it has not. Mr. Lahiff said that this has been stalled long enough and that there is no reason the FormFire form has not been sent to the other brokers that were approved by council.
- Mr. Blados asked that a Wage & Salary meeting be set up to discuss this. Mayor Procuk suggested that they hold a meeting next week. It is set up for June 8<sup>th</sup> at 5:30 pm. Mayor Procuk asked Mr. Frank to make all three (3) brokers aware of the meeting next week.

### ORDINANCES & RESOLUTIONS

**ORDINANCE 40-2021- AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE ENGINEER TO PREPARE THE APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION AND AUTHORIZING THE CLERK/TREASURER TO MAKE PAYMENT OF THE APPLICATION FEE**

Sponsor: Mr. Lasky

Second: Mr. Walsh

Yeas: Lasky, Walsh, Lahiff, Blados & Presot

Nays: Ordinance 40-2021 is adopted 5-0

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**ORDINANCE 42-2021**- AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE COUNCIL TO APPROVE THE *CHANGE ORDER INCREASING THE AMOUNT DUE TO SPECIALIZED CONSTRUCTION, INC.* FOR THE 2020 BROOKLYN HEIGHTS ASPHALT PROGRAM

Sponsor: Mrs. Presot

Second: Mr. Walsh

Yeas: Presot, Walsh, Lahiff, Blados & Lasky

Nays: None

Ordinance 42-2021 is adopted 5-0

**ORDINANCE 43-2021** – JUNE PAY ORDINANCE

Sponsor: Mr. Lahiff

Second: Mr. Lasky

Yeas: Lahiff, Lasky, Blados, Presot & Walsh

Nays: None

Ordinance 43-2021 is adopted 5-0

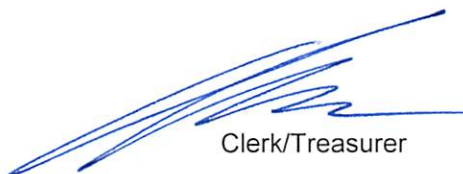
Mayor Procuk asked that the May 25th email to Val Snyder from Mr. Biskind and the May 28<sup>th</sup> email to Mr. Frank from Mr. Biskind be put in council mail on Friday.

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

Yeas: All

Meeting adjourned

  
Mayor

  
Clerk/Treasurer