MINUTES OF A MEETING

HELD	June 6, 2023

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on June 6, 2023 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, Lasky, Presot, Tommer

Mayor Procuk
Clerk/Treasurer Frank
Law Director Dowling

Assistant Law Director

Engineer Zoldak Police Chief Meade

Fire Chief

Asst. Fire Chief Lasky (Mike)
Service Director Blados

Bldg. Commissioner

Asst. Bldg. Comm. Sonenstein Comm. Service Director Guilfoyle Recreation Director Krzynowek

Soccer Commissioner

GUESTS:

Les Foote

<u>MOTION</u>: Mr. Berzins moved to approve excuse the absence of Councilman Walsh. Seconded by Ms. Presot. Motion carried 4-0.

<u>MOTION</u>: Mr. Berzins moved to approve the minutes from the May 16, 2023 Council meeting. Seconded by Mrs. Presot. Motion carried 4-0.

CORRESPONDENCE / MAYOR PROCUK

- The Mayor was copied on an email from Thea Guilfoyle, Director of Community Services, to Rocky Schuckert, President of the Men's Service Club, requesting a donation of \$500 for the Meals on Wheels stipend for low income seniors.
- A letter dated May 24th was sent from Engineer Jennifer Zoldak to all residents on Dorset, Bancroft and Dunedeen notifying them of the reconstruction project explaining that the entirety of the roads will be removed and replace including each residential driveway apron. The work will begin on May 30th and, weather permitting, will be completed in mid-August. Only residential, local traffic will have access.
- Corey Czinger, Environmental Specialist at ODOT sent a letter informing the Mayor that ODOT has proposed a project to replace the decks of the I-480 eastbound and westbound ramps to I-77. The project is currently scheduled to begin after January 2025.

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- The agreement was received from the Board of Elections and they reported that there will be a special election in August, 2023 and they will utilize the Community Center for set up on August 7th and voting on August 8th.
- A letter was received from Tony Ramos from NOPEC regarding the energy aggregation. Anyone who previously opted out can request to participate with no penalty simply by calling the NOPEC Customer Care Center.
- An email was received from Jerry Zeitler, President of Die-Matic Corporation, regarding East View Drive and where it actually ends. They wish to patch up the road and need clarification on ownership. He also shared that he met with Chief Meade regarding license plate reader cameras for their property due to cars in their lot being broken into.
- A letter from Prentis Jackson, Jr., Senior Development Specialist, Cuyahoga County Senior Development Housing, congratulating us on being awarded the 2023 CDEFG Supplemental Grant funding.

AUDIENCE PARTICIPATION

• Les Foote read on the Village website that we may be purchasing a drone for use by the Police Department and he was inquiring about their purpose. Chief Meade responded that the drone will be equipped with speakers, lights and infrared and be used to locate people fleeing from cars, crashes, over wooded areas, missing children, etc. Officers will get FAA training and be FAA licensed to operate the drone. There are very strict guidelines in place for drone usage.

FIRE DEPARTMENT / ASSISTANT CHIEF LASKY

- He shared his support for the purchase of the drone as it is extremely helpful to fire departments.
- They are adjusting their fire hydrant flushing schedule to work around the village improvements going on in the Village.
- The construction projects have not hampered any of their fire runs. They have been going on runs to I-480 almost every day.
- He and Chief Stefanko attended a fireworks seminar and were certified to inspect fireworks. Although it's illegal in Brooklyn Heights, if a situation came up they could work with the State of Ohio to inspect the set up.
- The new firefighters are now on their own which helps with the scheduling and this was sooner than expected thanks to Mike Sedor who assisted with the training.

POLICE DEPARTMENT / DAVID MEADE

• He spoke with Die-Matic regarding a flock camera and Die-Matic has offered to reimburse the Village for the purchase of one to cover the area around their building. He will work with the Law Director and Clerk/Treasurer for a way to handle this. The camera would be on the road and the police will have full access to it. Once the process is confirmed for the purchase any other business would be welcome to do the same. Mr. Lasky asked about the on-going cost of the camera and Chief Meade responded that Die-Matic has agreed to cover all associated costs.

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- They are enforcing the overnight parking ordinance of no parking between 3-5:00 am and gave five warnings last week. Residents can call the police department to get special permission for overnight street parking for some circumstances.
- Legislation for the drone is up for consideration tonight and if approved will order it tomorrow and can receive it and have it up and running in July. He chose Ohio Drone Repair because they are close and give top priority to police departments including temporary loan of a drone if a lengthy repair is needed. Included in the initial cost is two years free maintenance, one year full warranty and a full replacement for \$400 if totally destroyed.

SERVICE DEPARTMENT / JOE BLADOS

- He has two conditional offers of employment and they should receive the background check results by Thursday.
- He spoke with Jason Knowles and the tree grants are in process. Six dead trees will be removed in the Wexford and West 8th Street area and they will be replaced in the fall.
- They should receive the check to secure replacement of the Upper Park fencing very soon and it should be completed in the fall. This will be perfect timing with the new restroom installation and that section of the fence will be put up after the installation.
- There is approximately \$230,000 in NEORSD fund for stormwater, street maintenance and equipment and they are exploring the purchase of a street sweeper and possibly a couple of leaf vacs. He is looking into a used street sweeper with 2000 miles on it that includes a catch basin extractor. He distributed information and explained that it is from Best Equipment who took it as a trade in from a nearby community who is purchasing a larger unit. A demo of the unit is being scheduled.
- He will be meeting with Mark Termini to choose the location of the Flip Saunders sign. He will have the service department team have it ready to go.
- The Memorial Day parade went well and he thanked all involved including his team who worked above and beyond to finish the planting and painting.
- He found a used asphalt roller with a trailer on gov.deals and requested approval to bid up to \$10,000 which would include the buyer's fee. Mr. Berzins asked for confirmation that we would get reimbursed from the Water Department for work we do and both the Service Director and Engineer Zoldak responded that they will. Unfortunately for the Water Department to do the work it is often a long wait. This would allow the work to be done in a timely manner. It can also be used for larger repairs and use actual hot patch asphalt instead of the cold patch. Mr. Lasky inquired if he saw the machine yet and Mr. Blados stated that he would prior to any bidding.

MOTION: Mr. Tommer moved to approve Service Director Blados to bid on the asphalt roller not to exceed \$10,000. Seconded by Mr. Berzins. Motion carried 4-0.

- They have the bid opening tomorrow for the trash contractors at noon. He is expecting three bids.
- They have been actively cleaning the West Sixth Street house yard. They are keeping a log of work hours and are at approximately \$2,200 in estimated cost. The nuisance trees are scheduled to be removed on Friday, weather permitting.

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- Four plants were replaced on the Marko Lane island which were destroyed by a truck. Mrs. Presot asked if there are plans to plant flowers in the Lancaster island and he responded yes.
- On the 14th and 15th he is going to his second tree commission class for the Urban Tree Commission.
- Mayor Procuk clarified for the audience that Jason Knowles submitted to the Cuyahoga County Healthy Urban Tree Canopy Grant Program requesting \$48,125 which is 90% and the local match is 10%, or \$5,272 for a total of \$53,397 which would allow us to plant 80 trees in the fall and 45 trees next spring if we get the grant. Sites and species are all determined by the county.

RECREATION DEPARTMENT / DALE KRZYNOWEK

MOTION: Mr. Lasky moved to pay the invoices in the amount of \$4,914 for all team uniforms, pants, shirts, socks, jerseys, umpire and coach shirts and gear. Seconded by Mr. Berzins. Motion carried 4-0.

• Mayor Procuk inquired if we purchased hats and Mr. Krzynowek responded no because they typically were not worn and were left in the dugout. All teams get shirts, pants and socks except for T-ball who just receive a shirt.

COMMUNITY SERVICES DEPARTMENT / THEA GUILFOYLE

MOTION: Mrs. Presot moved to pay Lori's Custom Catering \$2,219 for Meals on Wheels for the month of May. Seconded by Mr. Tommer. Motion carried 4-0.

<u>MOTION</u>: Mr. Berzins moved to approve an additional three months of insurance coverage for Donna Algeri ending on August 31, 2023 with Donna Algeri paying the premium. Seconded by Mr. Tommer. Motion carried 3-0. Mrs. Presot abstained.

- Art in the Park: Eligibility check for the 2024 grant process was submitted and approved. The final application step is in August with awards announced in late fall. The registration for the summer is going well with 46 children and 20 volunteers signed up so far. The program runs M-W-F, from June 12th through July 28th, 12:30p 3:00p
- Mr. Lasky shared that he is restarting the fire hydrant painting and requested to have his flyer posted to get the word out for volunteers.
- TESCO Bus: The new bus will be delivered on Tuesday, June 13th. The remote mirrors and seat upholstery will not be installed yet because they are waiting on parts and fabric but once received we'll schedule the installation. We will have an ordinance at the June 20th meeting and Tesco agreed to release the bus and accept payment on Fri, June 23rd delivered to their office. Thanks to Joe Blados for creating an indoor space for the new bus to be parked!
- Regarding the current 24-passenger, we said we would assess its value when the new bus is
 acquired. I believe keeping it, at least through the summer for the Art in the Park program, is the
 best move at this time. This allows us to handle all of the program transportation without reaching
 out to another community for assistance like we did last year. We can re-assess later in the year. She
 has three vendors to get quotes from for the stenciling.

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- Senior Programming: Due to its popularity, we added a second visit from the County Library Digital Navigators for cell phone instruction on July 27th. The next senior luncheon is on Tuesday, June 13th at Noon.
- Summer School: We are providing transportation for 5 kids for the Cuyahoga Heights Elementary School summer school for three weeks in June.
- CHS After Prom Transportation: The Cuyahoga Heights Senior Class was transported to Kalahari, as did Valley View and Cuyahoga Heights, for their After Prom activity. They were very appreciative.
- Social Media, Website, and Village Newsletter: She is exploring various website developers and various ideas for the monthly publication replacing the Breeze. She has several meetings scheduled over the next couple of weeks to gather information.
- Mayor Procuk asked if we still had 81 senior lawns in the Lawn Cutting Program and if senior citizens have signed up yet for the Seven Hills Rec Center. She responded that we have 78 participating in lawn cutting and she has not put out the information for the Seven Hills Rec Center yet. She stated that she started by having an article in the Golden Outlook informing them that they may have free membership available to them under their insurance coverage and wanted to explore that first. She will follow up with the Seven Hills membership information for all residents at the next council meeting.

SOCCER COMMISSIONER / READ BY MAYOR PROCUK

• Spring soccer season ended on May 20th and each team played six games. The 10-11 girls team coached by Mandi Apathy ended up in 5th place with a record of two wins and four losses. This team was made up mostly of 8-9 year olds to accommodate the few 10 year olds. The U11 boys' team, coached by Al Hachach, faced the same roster situation and had mostly 8-9 year olds to accommodate a few resident 10 year olds. The team ended with a record of one win and five losses. The co-ed U7 team, also coached by Mandi Apathy and Narlin Shadd went undefeated with six wins. The Dynamites, ages 3-5 do not engage in league play but instead practice once per week being introduced to basic skills and fun games.

BUILDING DEPARTMENT / HOWARD SONENSTEIN

- A new business, a food distributor, is going to be opening on Hayes Drive.
- The scan project is all complete and ready for Thea to distribute to the residents. Once the last portion was complete they sent an additional bill for almost \$6,000. After a lot of phone conversations they waived the fee.
- They are working with the Law Director to get a records retention committee meeting to get confirmation on what items can be kept in digital format only.
- Point of Sale inspections are going very smooth. Between the sellers and the buyers, houses are being fixed up, brought up to code and looking much better. One issue he hears is that while these repairs are being done, the resident notices neighboring houses in disrepair and they question why they aren't being asked to fix things up.
- He is working with a homeowner who is trying to fill an area of their yard that is disappearing in the back. He explained that they need a plan and had the Engineer get involved.
- Mrs. Presot asked how residents request their building plans. Thea responded that she has seen the boxes and requested the service department take them to her office. There are about 70

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requests already recorded. It will be posted on social media and in any written communications for them to call in and pick them up from the Community Services office.

ENGINEER / JENNIFER ZOLDAK

- Eastview Drive: As discussed earlier this evening, we are establishing the right of way and it does extend and then seamlessly merges into the driveway. The physical right of way has not yet been established and property research and field surveying will need to be done. The cost will be about \$3,000 and she presented it to the Mayor for Council to see what portion, if any, the Village will cover.
- Howard mentioned the property on Schaaf Road and she took a look at it. What the owner submitted was unfortunately not enough to verify that what they want to do isn't going to negatively impact an adjacent property. They will have to submit additional information.
- ODOT Granger Road Reconstruction: ODOT Construction is ongoing on Granger Road. Thanks to everyone for their input, there have been additional signs placed throughout the project zone, to assist in redirecting traffic away from Tuxedo southbound. We are still anticipating end of October for completion. Use caution through the work zone.
- Nidec Property: The Village entered into an agreement with ODOT in December 2022 for developing a plan for landscaping and other possible improvements at the NE corner of Tuxedo and Granger, which we will now start to look at more closely now that construction is underway at the intersection.
- Dorset, Dunedeen, and Bancroft: Milling was complete on Saturday. Contractor will begin saw cutting tomorrow, Wednesday June 7th, and then concrete removal will begin either Wednesday or Thursday. Overall completion date is August 11. Dunedeen will be first, then Bancroft, then Dorset.
- Spring Road Pavement Reconstruction: First half of the pavement is done and the second half is entirely removed, she was on-site for proof rolls yesterday and this morning. Similar to the west side of pavement, there was some additional undercutting required to create a stable pavement base. The Contractor is working on stoning the second half, and will begin preparing for the mainline pour next Friday, June 16. Very tentative, project will wrap up in early July, which is about a month ahead of schedule.
- Guardrail Replacement and Concrete Program: Bid specifications for this work are in progress. The goal is to bid the project in late June, open bids in middle of July to award the project early August.
- Upper Park Restroom: The Village received draft grant agreement for the CDSG grant of \$50,000 for the Upper Park Restroom, which was signed and will be provided back to the County. The CDBG grant of \$150,000 is awarded and we are waiting on the draft grant agreement. In the meantime, the Village is permitted to proceed with all project activities. Grant timeline is 4/1/2023-3/31/2024-so all construction must be done and completely paid for by March 31. Lead time on the bathroom is currently 6 months. We have approval to order when we are ready.
- Upper Park Improvements: the Flip Saunders Recreational Court sign has been delivered to the Village and will be installed. There are top safety rails to be installed this week, and a dedication plaque has been requested by the donor which will be added at some point as well. The grand opening is not yet scheduled, but the courts are fully opened for use.

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LAW DEPARTMENT / JERRY DOWLING

• As mentioned, he and Marty Mason are working with Howard on the records retention and they need to appoint at least one member to the commission. It should be a resident and the responsibilities of the position are being discussed. Once complete, it will be publicized and there will probably be two meetings, an introductory meeting and then a plan to draw up legislation.

CLERK-TREASURER / AARON FRANK

<u>MOTION</u>: Mr. Berzins moved to pay Easy Sign Holdings for the Flip Saunders dedication sign in the amount of \$1,210. Seconded by Mrs. Presot. Motion carried 4-0.

<u>MOTION</u>: Mr. Tommer moved to pay Knowles Municipal Forestry for various grant application work, tree replacement and other HUTC tree work in the amount of \$1,224. Seconded by Mr. Berzins. Motion carried 4-0.

<u>MOTION</u>: Mr. Lasky moved to pay Mansour Gavin for professional services rendered in regards to the Kurtz expansion in the amount of \$325. Seconded by Mrs. Presot. Motion carried 4-0.

<u>MOTION</u>: Mrs. Presot moved to pay Clemens Nelson for various HR consultation work in the amount of \$2,304.56. Seconded by Mr. Berzins. Motion carried 4-0.

- He attended a Cuyahoga County Public Works Committee meeting with Service Director Joe Blados for the first reading on the additional ARPA funding that will be applied to the elevator repair. There will be more readings and there should be no issues. What was agreed on was that the \$150,000 additional ARPA funds, plus the \$20,000 or so left over from the bus will go toward the elevator repair.
- He received a call from Max Miller's office, a Congressman from the State of Ohio explaining that they handle community project funding requests. They would potentially help us to receive more grant funding with large projects such as a fire truck, police vehicles, street and sewer repair, street sweeper, etc. It is mostly brick and mortar type items not so much park and community service or financial projects. He'll reconnect with them in the beginning of 2024 for fiscal year 2025.
- They wrote the check to send to one of the local businesses for their annual incentive. That will hit the financial report for the month of June. There are two smaller incentives, two separate companies that just have deals in place with us.
- There is legislation for consideration tonight to stop the deposits into the 204 Fund. This is \$30,000 that will now go into the Capital Fund. The deposits into the 204 Fund can be reinstated at any time.
- The capital transfer for the month of May was \$132,080. Next month the report will reflect the 15% capital transfer plus the \$30,000.
- We received our annual retainer refund from RITA which is money they collect from us every month, and then they calculate things and give us a refund, typically in June or July. We received this

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on May 31st in the amount of \$160,064. This amount has been historically increasing due to our municipal income.

- The RITA drop on June 1st was \$711,000 minus the \$21,000 fee for a total of \$689,000 and we have almost \$6,000 in net profit.
- The month of May was closed today. You'll see in the report the variance is back on the right side and we're currently sitting with 2.7 million in the General Fund bringing our variants to positive \$103,000 surplus.
- The 204 Fund has a balance of \$853,000 and next month it will be \$127,000 less due to the one business incentive.
- The 206 Fund, the ARPA Fund, had a beginning balance of \$156,000 plus the \$249,000 for the bus and Spring Road. He applied \$97,000 towards a portion of the Cook Paving bill. As soon as the bus is received he'll pay that and then we should see the additional \$150,000 from the county which will go toward the elevator repair plus additional money from the capital fund.
- The drone cost will come out of the 209 Fund which currently has \$14,000 in it. That purchase will take the balance down to about \$6,000. Right now the Capital Fund has a million dollars in it.
- Mr. Lasky asked about the SCMR fund and what it can be used for. He responded that is has a balance of \$312,000 and believes between that and the sewer fund, street items can be purchased.
- Max Miller is a Republican in the United States Congress from District Seven. We were represented by Shontel Brown. Max Miller is an enthusiastic politician who wants to spread the wealth and walk across the aisle. He met with him and his wife and the Mayor of Seven Hills coincidentally when attending a baseball game. Max is doing a lot of good work in the communities that he represents and he would like to branch out which is why he's contacting you.

MAYOR'S COURT / MAYOR PROCUK

Income for May	\$13,147.00
Victims of Violent Crimes	558.00
Drug Law Enforcement Fund	217.00
State Bond Surcharge	
Seatbelt Violation	30.00
Child Restraint	
State of Ohio	2,525.00
Indigent Defense Support	1,720.00
Indigent Driver Alcohol Treatment Fund	93.00
Bond Forfeitures	
Regional Enterprise Data Sharing System	315.00
Brooklyn Heights	\$10,214.00

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MAYOR'S REPORT / MAYOR PROCUK

- We are once again enrolled in the 2023-24 BWC Safety Council Rebate Program.
- We are operating at .42% under budget through May so less than 1% under a very tight budget. The vast majority of our funds go for Village safety and the Police and Fire Department Budgets at this point are operating at 3.6% under budget. The reason that we're not all under that is because we paid a lot of our annual bills like we always do in the first six months.
- The first drop in June was about \$406,000 more than we were hoping to get. It's a roller coaster with peaks and valleys. To compare, we collected \$174,000 more in the same drop than last year. Year-to-date, not including the \$6,000 net profit, we have \$3,998,127. That's \$937,000 more than we were budgeting and hoping to have at this point. It's only \$275,000 more than where we were last year and last year was a record year and we're still showing growth. With all the buildings full, it's a million dollars more than we collected in 2021 or 2020. Finances couldn't be much better.
- Last night there was a Zoning Board meeting. Council always has the opportunity to go along or to overturn their decision. In this case, what was granted to approve an appeal for one year as long as the applicant continues to keep Nino up-to-date. They will reconvene on this matter on June 3, 2024. This gives the applicant one year to work on it. This is for Michael Bauer at 817 East Schaaf Road who appealed the decision of the Zoning Board of Appeals. He has a huge gravel driveway and wants to waterproof his home and put in a cement driveway.

PARKS, PLAYGROUND & COMMUNITY SERVICES/ JENNIFER PRESOT

• There was a brief meeting this evening discussing the location of the new restroom facility in the Upper Park as part of the park renovation.

MAYOR PROCUK / UPDATE

Michael Kilton, who lived in Brooklyn Heights on Dorset Drive came up here many times and sought the senior lawn cutting program. He told us that he employs juveniles and children to give them work opportunities. Now, as of May 30, he is under indictment on 19 charges. You can view them online as it is all public record. He will be arraigned on June 13th.

ORDINANCES & RESOLUTIONS

ORDINANCE 49-2023 AN ORDINANCE EXTENDING THE MORATORIUM ON THE OPERATION OF ANY SHORT TERM RESIDENTIAL REAL ESTATE RENTALS IN THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: All of Council

Second: Presot Yeas: -- / Nays: --

Ordinance 49-2023 First Reading

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ORDINANCE 50-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH OHIO DRONE REPAIR TO PURCHASE A DRONE AND RELATED EQUIPMENT FOR THE VILLAGE OF BROOKLYN HEIGHTS POLICE DEPARTMENT

Sponsor: Berzins Second: Tommer Yeas: 4 / Nays: 0

Ordinance 50-2023 is adopted 4-0

ORDINANCE 51-2023 AN EMERGENCY ORDINANCE RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE OF BROOKLYN HEIGHTS AND THE BROOKLYN HEIGHTS PART-TIME FIREFIGHTERS ASSOCIATION FOR THE PERIOD OF JANUARY 1, 2023 THROUGH DECEMBER 31, 2025

Sponsor: Presot Second: Berzins Yeas: 4 / Nays: 0

Ordinance 51-2023 is adopted 4-0

ORDINANCE 52-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE CLERK/TREASURER TO TRANSFER UP TO \$30,000 PER MONTH FROM THE NET COLLECTION OF INCOME AS DIRECTED INTO THE CAPITAL IMPROVEMENTS FUND

Sponsor: Tommer Second: Lasky Yeas: 4 / Navs: 0

Ordinance 52-2023 is adopted 4-0

ORDINANCE 53-2023 AN EMERGENCY ORDINANCE AUTHORIZING THE CLERK/TREASURER TO MAKE PAYMENT TO CHAGRIN VALLEY ENGINEERING, LTD. FOR SERVICES RENDERED ON VILLAGE PROJECTS

Sponsor: Lasky Second: Presot Yeas: 4 / Nays: 0

Ordinance 53-2023 is adopted 4-0

ORDINANCE 54-2023 AN ORDINANCE CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR INCLUSION ON THE CUYAHOGA COUNTY TAX LISTS AND DUPLICATES THE REAL PROPERTY PERMANENT PARCEL NUMBERS AND AMOUNTS IN CONNECTION WITH CERTAIN DELINQUENT ABATEMENT AND/OR ASSESSMENT FEES CHARGED THERETO AND OWED TO THE VILLAGE, AND DECLARING AN EMERGENCY

Sponsor: Berzins Second: Tommer Yeas: 4 / Nays: 0

Ordinance 54-2023 is adopted 4-0

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Н	ELD	June 6, 2023	
ORDINANCE 55-2023	JUNE PAY ORDINA	ANCE	
Sponsor: Presot			
Second: Berzins			
Yeas: 4 / Nays: 0			
Ordinance 55-2023 is a	dopted 4-0		

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

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer