

VILLAGE OF CUYAHOGA HEIGHTS

COUNCIL MEETING

FEBRUARY 11, 2009

Mayor Bacci had everyone stand to say the Pledge of Allegiance and asked everyone to turn off their cellular phones.

Mayor Bacci called the meeting to order. Clerk Biro called the roll. Those present were Marilyn Duszynski, Ralph Faragone, Lois Henley, Irma Schab, Frank Schoeffler and George Suhy. Also present were Police Chief Doug Pallini, Fire Chief Lee Zmija, Assistant Service Director Danny Lipiec, Treasurer John Traffis, Law Director Jonathan Greenberg, Building Commissioner Norm Casini and Engineer Paul Dey.

Clerk Biro presented the January 4, 2009 Council Meeting and January 29, 2009 Work Session Meeting. Mrs. Schab moved, seconded by Mrs. Henley that the minutes be accepted as prepared and placed on file. All voting aye, none opposed; motion carried.

COMMUNICATIONS:

From CHHS 2009 After Prom Committee:

A thank you letter for the Village's sponsorship of the 2009 After Prom event.

From various members of the Youth Committee:

Letters to Mayor Bacci from Rick Centa, Jackie Wheeler, and Karen Smosarski regarding their resignations from the Youth Committee.

From Mayor Bacci:

A letter to resident, Andy Sokolich, congratulating him and his fellow Academic Challenge Team members from Cuyahoga Heights High School on their victory.

Mr. Schoeffler moved, seconded by Ms. Duszynski to accept the communications as read and place them on file. All voting aye, none opposed; motion carried.

PERMITS:

Mr. Faragone moved, seconded by Ms. Duszynski to take no action on the Zoning Board’s disapproval of a request from Beverly Buriss, owner of 811 Harvard Avenue in the Village of Cuyahoga Heights to continue a non-conforming residential use in an industrial zone. The dwelling has been vacant for more than a year. Per codified ordinance 1250.02 this structure/site reverts to an industrial zone. All voting aye, none opposed; motion carried.

Mr. Casini explained that he had to turn this over to the Planning and Zoning because of the non-conforming use of a residential dwelling that is on an industrial site on Harvard Avenue. Mr. Casini stated that because of the discontinuing use as residential for over a year, it reverts to the existing zoning in that area.

PURCHASES:

From BPI Information Systems, the material and labor to develop a fiber connection between the Police Department and Village Hall. (\$8,700.00). Ms. Duszynski moved to table this for further discussion at the February 25, 2009 Work Shop Meeting. All voting aye, none opposed; motion carried.

FINANCIAL REPORTS:

Cuyahoga Community Improvement Corporation Year end 2008

Mrs. Schab moved, seconded by Mr. Suhy to accept the reports as prepared. All voting aye, none opposed motion carried.

LEGISLATION:

ORDINANCE NO.: 2009-19

AN ORDINANCE AMENDING SECTION 1442.15 OF CODIFIED ORDINANCES OF THE VILLAGE TO CHANGE THE MAXIMUM OCCUPANCY FEE

This will raise the maximum occupancy fee from \$1,000 to \$2,000. The fee is based on a variable dollar amount per 100 square feet of building space. This ordinance is on its second reading.

Mr. Suhy moved, seconded by Mr. Faragone that the rules be suspended and the Ordinance be placed on its third and final reading. All voting aye, none opposed; motion carried. The Ordinance was passed by the same vote.

LEGISLATION: (cont.):

ORDINANCE NO.: 2009-20

AN ORDINANCE AMENDING SECTION 1442.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE TO REMOVE THE REQUIREMENT THAT BUILDING AND HOUSING CODE PERMITS BE ISSUED SEPARATELY

This allows for one single permit to be issued for work that is listed in 1442.01 to be completed on any building or appurtenant structure. This ordinance is on its second reading.

Mrs. Henley moved, seconded by Ms. Duszynski that the rules be suspended and the Ordinance be placed on its third and final reading. All voting aye, none opposed; motion carried. The Ordinance was passed by the same vote.

Mrs. Schab moved, seconded by Mr. Schoeffler to instruct the Clerk to read all Pay Resolutions as a group for reading and final adoptions. All voting aye, none opposed; motion carried.

Mrs. Schab moved, seconded by Mr. Schoeffler that the rules be suspended and the following Resolutions be placed on third and final reading.

RESOLUTION NO.: 2009-24	GENERAL PAYROLL 11-0902 \$224,078.27
RESOLUTION NO.: 2009-25	GENERAL PAYROLL 11-0903 \$195,944.20
RESOLUTION NO.: 2009-26	SALARY PAYROLL/UNIFORM MAINTENANCE ALLOWANCE 22-0901 \$13,452.42/\$2,880.00
RESOLUTION NO.: 2009-27	SALARY PAYROLL 22-0902 \$13,785.75/\$413.29
RESOLUTION NO.: 2009-28	GENERAL BILLS - \$142,420.68 #38335 - #38420
RESOLUTION NO.: 2009-29	GENERAL BILLS - \$379,292.07 #38421 - #38558

All voting aye, none opposed; motion carried. The Resolutions were passed by the same vote.

RESOLUTION NO.: 2009-30	Consolidated Heating & Cooling #38335 - 2,546.60 & #38424 \$143.20
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Mrs. Henley moved, seconded by Mr. Faragone that the rules be suspended and the Resolution be placed on its third and final reading. Roll Call: Ayes: Duszynski, Faragone, Henley, Schab and Schoeffler. Present: Suhy. Roll Call on Adoption: Ayes: Duszynski, Faragone, Henley, Schab and Schoeffler. Present: Suhy. The Resolution was passed.

LEGISLATION: (cont.):

RESOLUTION NO.: 2009-31

THEN & NOW CERTIFICATE
#38555 - \$7,198.37 Dominion East Ohio

Ms. Duszynski moved, seconded by Mr. Faragone that the rules be suspended and the Resolution be placed on its third and final reading. All voting aye, none opposed; motion carried. The Resolution was passed by the same vote.

RESOLUTION NO.: 2009-32

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA COUNTY DISTRICT BOARD OF HEALTH AND THE VILLAGE OF CUYAHOGA HEIGHTS FOR MONITORING AND SAMPLING UNDER THE VILLAGE OF CUYAHOGA HEIGHTS' STORM WATER MANAGEMENT PROGRAM

Mr. Suhy moved, seconded by Mr. Faragone that the rules be suspended and the Resolution be placed on its third and final reading. All voting aye, none opposed; motion carried. The Resolution was passed by the same vote.

ORDINANCE NO.: 2009-33

AN ORDINANCE RE-ENACTING SECTIONS 254.17 AND 254.171 OF THE ADMINISTRATIVE CODE PROVIDING FOR A RETIREMENT INCENTIVE PLAN FOR VILLAGE EMPLOYEES AND RETIREMENT INCENTIVE PLAN FOR POLICE AND FIRE DEPARTMENTS

Mayor and Council re-acted the Village's previous retirement plan for Police, Fire and PERS employees

Mrs. Henley moved, seconded by Mrs. Schab that the rules be suspended and the Ordinance be placed on its third and final reading. All voting aye, none opposed; motion carried. The Ordinance was passed by the same vote.

LEGISLATION: (cont.):

ORDINANCE NO.: 2009-34

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE VILLAGE OF CUYAHOGA HEIGHTS A PROPOSAL TO AMEND ARTICLE II, SECTIONS 1, 2, 3, AND 4, OF THE CHARTER TO ELIMINATE THE POSITION OF TREASURER OF THE VILLAGE OF CUYAHOGA HEIGHTS

The Charter amendment to eliminate the Treasurer's position will be on the May 9, ballot.

Ms. Duszynski moved, seconded by Mr. Schoeffler that the rules be suspended and the Ordinance be placed on its third and final reading. All voting aye, none opposed; motion carried. The Ordinance was passed by the same vote.

ORDINANCE NO.: 2009-35

AN ORDINANCE AMENDING SECTION 256.01(E) (h) OF THE ADMINISTRATIVE CODE FOR VILLAGE POOL EMPLOYEES FOR THE YEAR 2009

The pay ordinance is being amended to comply with the Federal Minimum Wage requirement of \$7.30 per hour for the first year pool checkers.

Mrs. Schab moved, seconded by Ms. Duszynski that the rules be suspended and the Ordinance be placed on its third and final reading. All voting aye, none opposed; motion carried. The Ordinance was passed by the same vote.

ORDINANCE NO.: 2009-36

AN ORDINANCE AMENDING SECTION 254.05 AND 256.08 OF THE CODIFIED ORDINANCES OF THE VILLAGE PERTAINING TO HEALTH INSURANCE FOR PART TIME ELECTED OFFICIALS

Effective January 1, 2010, the part-time Village Council positions and Treasurer will no longer receive health care and life insurance benefits.

Mrs. Schab moved, seconded by Mr. Schoeffler that the rules be suspended and the Ordinance be placed on its third and final reading. All voting aye, none opposed; motion carried. The Ordinance was passed by the same vote.

OTHER BUSINESS:

Mrs. Henley moved, seconded by Ms. Duszynski to approve two appointments to the Youth Committee, Erin Spicer and Maureen Ferfolia. All voting aye, none opposed; motion carried.

Mr. Faragone moved, seconded by Mrs. Schab to approve the appointments to the Tax Review Council to review tax abatement agreements for the year 2008. Marilyn Duszynski, Ron Kryzonwek, School Board Representative, John Traffis and Gail Baciak. All voting aye, none opposed; motion carried.

MAYOR AND COUNCIL REPORTS:

MAYOR BACCI:

Mayor Bacci gave the floor to Mrs. Schab who gave her condolences to the Amari family.

Mayor Bacci commended the Service Department on the snow removal during the last few weeks.

Mayor Bacci congratulated Andy Sokolich and the Cuyahoga Heights Academic Challenge Team.

Mayor Bacci said that he would appoint the third person for the Youth Committee by next week.

Mayor Bacci asked Council President Frank Schoeffler to commend Council for their fiscal responsibility for passing legislation that they did this evening and being good custodians in a time of economic crisis.

MR. FARAGONE:

Mr. Faragone asked Mr. Dey if there was going to be more than one gas pipe installed on East 49th Street. Mr. Dey replied yes. Mr. Faragone asked Mr. Dey what side of the street is going to be worked on. Mr. Dey replied that they will be installing two gas mains off the street and one on the west side. The sidewalks will be torn out. Mr. Dey said that he does not have the final plans yet.

MRS. HENLEY: Nothing to report on Go-Green & Beautification Committees.

MRS. SCHAB:

Mrs. Schab gave a finance report for January 2009.

REVENUE

GENERAL FUND

Local Taxes	\$873,000
Gov. State Taxes	12,000
Charges for Services	20,400
Misc. Fees	4,800
Misc. Income	740
Non-revenue	<u>7,100</u>
Total General Fund	\$918,040
Special Revenue	13,800
Capital Projects	0
Trust & Agency Funds	6,000
Total Income/Revenue	<u>\$937,840</u>

EXPENSES

General Fund		Payroll Liabilities	
Police Department/Dispatch	\$225,000	PERS	\$19,441
Fire Department	205,000	Police Pension	21,825
Misc. Security	5,200	Fire Pension	<u>45,468</u>
Public Health	2,400		\$86,734
Leisure Activities	8,700		
Pest Control/Trees	8,254	Special Revenue Funds	
Garbage & Sewer	7,800	Streets	66,000
Streets/Snow Removal	3,700	Police Funds	
Mayor's Administration	15,000	Community Grants	
Council	11,800		
Legal	4,200	Police Station Debt	0
Clerk & Treasurer	17,700		
Service Dept & Village Hall	74,000	Capital Projects	0
Engineer & Bldg. Dept.	6,600		
Health Care	151,000	Trust & Agency Funds	<u>500</u>
Misc. Fees County/State			
		Total	
Misc. Fees PERS/Rita	<u>37,600</u>	Expense/Expenditures	<u>\$937,188</u>
Total General Fund	<u>\$783,954</u>		
		Variance +/-	<u>\$652</u>

Mrs. Schab stated that the Finance Committee will be meeting with Mayor Bacci and Clerk Biro to go over the budget for each department within the next three weeks. Mrs. Schab said that it was suggested to cut all departments by 10 per cent and would get back to Council after their meeting.

MRS. SCHAB: (cont.):

Mrs. Schab asked Mayor Bacci if he would check into IGS regarding the gas and NOPEC. Mayor Bacci replied that he would.

Mr. SCHOEFFLER:

Mr. Schoeffler thanked Council for passing the Ordinance on the health care and life insurance. Mr. Schoeffler said that at this difficult time in our country and Council is taking steps to help save money in our Village.

Clerk Biro stated that based on health insurance rates and the current composition of Council, they would be saving \$110,554.00 by eliminating their health care and life insurance.

Mr. Schoeffler stated that his committee will be meeting in April.

MR. SUHY:

Mr. Suhy mentioned that the Public Works Committee will be meeting prior to the Work Shop meeting on Wednesday, February 25, 2009 at 5:00 pm. Mr. Suhy said that they will be discussing plans for the fire station and recommendations from Mr. Casini regarding the VFW Hall.

MS. DUSZYNSKI:

Ms. Duszynski mentioned that the Economic Development Committee is still working with Allied Chemical and the Solid Waste Company.

Ms. Duszynski said that she attended a Northeast Ohio Council Association meeting and they discussed vehicles left idling unattended. Ms. Duszynski also said that she would like to discuss this at the next work shop meeting.

Mayor Bacci stated that they have been in contact with the major businesses, Alcoa, Mittal Steel and Charter in the Village and asked if there was anything that the Village could do for them. Mayor Bacci also stated that their future is right now transparent and they have no expectations to do anything in 2009. Mayor Bacci said that the people who have worked at the Alcoa Cleveland works for many years are doing everything they can do to make sure the Cleveland works stays here in Cuyahoga Heights and in Northeast Ohio. Mayor Bacci also said that they are aware of the ripple affect that a company like Alcoa would have on our Village. Mayor Bacci said that we are not just standing by waiting to see what happens, we are trying to be involved as much as we can.

POLICE CHIEF DOUGLAS PALLINI:

Chief Pallini stated that the three SWAT members are willing to forgo most of their clothing allowance and that that they would just need new boots. Mayor Bacci said that included, Sturgill, Wallace and Lukas.

TREASURER JOHN TRAFFIS:

Mr. Traffis announced that he will not be running for re-election for Treasurer Mr. Traffis said that he has enjoyed serving the Village and stated that the Village has always been good to him and sometimes we forget how good we have it here. Mr. Traffis thanked the Mayor Bacci and Clerk Biro for their support. Mayor Bacci thanked Mr. Traffis for his services and said that the job could not have been done without his dedication to the position.

MR. DEY:

Mayor Bacci had Mr. Dey explain the original gas line proposal for East 49th Street that Mr. Dey has turned down. Mr. Dey explained that the gas company proposed a plan to install a gas line along the east side of East 49th Street. It would have gone right over our sewers which would have made it impossible to do repairs, maintenance or replacements so he sent it back with some suggestions. Mr. Dey also said that he has a meeting next week with the gas company to go over their plans.

MR. CASINI:

Mr. Casini reported on a few of projects that are near completion.

COMMENTS FROM THE AUDIENCE:

MR. ROBERT UNGER:

Mr. Unger mentioned that the Police Station flooded. Mr. Unger stated that this was the second time this has happened. Chief Pallini replied that they have a sump pump in the basement and the level indicator failed. Chief Pallini said that they are planning to install an alarm in the dispatch area so they can notify someone in case something like this happens again.

Mr. Unger said that since John Traffis is not running for re-election for the position of Treasurer did John recommend the position not be filled. Treasure Traffis replied that he did recommend that the position not be filled in order to save the Village money. Clerk Biro stated that John feels he is doing something fiscally responsible. Clerk Biro said that this will save the Village a salary, PERS contribution and health care. The Finance Committee is going to have a stronger control on the finances and his duties and responsibilities will be shifted around.

WHEREFORE, there being no further business before this Council, Mrs. Henley moved, seconded by Mr. Schoeffler that the Council meeting be adjourned. All voting aye, none opposed; motion carried.

