

**MINUTES  
VILLAGE OF CUYAHOGA HEIGHTS  
CAUCUS  
AUGUST 9, 2017  
6:00 PM**

**COUNCIL CAUCUS**

**AUGUST 9, 2017**

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Ms. Duszynski called the meeting to order. Clerk Unger called the roll. Those present were, Mayor Bacci, Law Director Bill Mason, Assistant Law Director Ben Chojnacki, Council members Barbara Biro, Todd Bloam, Marilyn Duszynski, Cheryl Harris, Lois Henley, and Matt Schoeffler. Also in attendance were Assistant Clerk Angel Meriwether, Building Commissioner Norm Casini, Assistant Building Commissioner Ken Labella, and Engineer Todd Sciano.

**COMMUNICATIONS:**

Ms. Biro asked that the letter sent from the Mayor to the residents concerning the Route 21 crossover be included as communications.

From the Mayor:

A letter to the residents of the Village concerning information on the Route 21 crossover heading north from E. 71<sup>st</sup> Street.

Ms. Biro agreed to make the motion, seconded by Mr. Schoeffler.

**PERMITS:**

None at this time.

**PURCHASES:**

None at this time.

**MINUTES:**

|               |                 |
|---------------|-----------------|
| July 12, 2017 | Council Caucus  |
| July 12, 2017 | Council Meeting |

Ms. Henley agreed to make the motion to accept the minutes, Ms. Duszynski agreed to second.

Ms. Biro asked that in the future, we can have all the titles in front of everyone's name in the Minutes so if someone is reading them 10 to 20 years from now, they will know who they were.

**FINANCIAL REPORTS:**

R.I.T.A Preliminary Report August 2017  
Cash Position Statement July 2017

Ms. Harris agreed to make the motion to accept the reports, Ms. Duszynski agreed to second.

**LEGISLATION:**

**Motion to instruct the Clerk to group the pay resolutions for reading and adoption.**

Ms. Henley agreed to make the motion, Ms. Harris agreed to second.

**RESOLUTION NO. 2017-63**

|                            |              |
|----------------------------|--------------|
| Payment of Certain Claims: | \$902,933.34 |
| Payroll                    |              |
| General Bills              |              |
| (#51867 - #52014)          |              |

Ms. Duszynski agreed to make the motion, Mr. Schoeffler agreed to second.

**ORDINANCE NO. 2017-64**

AN ORDINANCE AMENDING CERTAIN SECTIONS OF PART TWO,  
"ADMINISTRATION CODE," OF THE CODIFIED ORDINANCES OF THE VILLAGE OF  
CUYAHOGA HEIGHTS

Mr. Bloam agreed to make the motion, Mr. Schoeffler agreed to second.

Ms. Biro explained that the committee continued on to the next section of the Codified Ordinances, and we started in the Police & Fire section. There were areas that were repealed because they no longer existed, there were areas we didn't touch because they were contractual, there were also areas that we asked Ms. Meriwether and Mr. Chojnacki to speak to the Chiefs. Mr. Chojnacki stated that there will be subsequent meetings with the chiefs relating to these items.

The next section we looked at was the promotional. We decided that due to the complexities of the promotional exams that we would have our legal representatives look at it and see if there was anything wrong with them, and if there were any recommendations from the chiefs, but as far as Council is concerned, we are going to stick with the dates and the wording as is.

The next section we will be looking at is the Service and Other Employment Provisions, and we will be meeting again on August 30<sup>th</sup> to look at that section. What you have in front of you for this meeting is what came out of the meeting we recently had.

Ms. Duszynski stated that everything in front of them today is related to the Police Chief. Mr. Schoeffler said that is because most of the Ordinances that they looked at were governed by the collective bargaining agreement, and they could not change anything.

Ms. Biro said that the only thing they had that they needed to discuss with Ms. Meriwether and Mr. Chojnacki was part time staff for both Police and Fire, and this is the area that we are going to get feedback from the Chiefs to see what they would like to do, because they already have policies in place, and we will see if that is the way they want it before making any changes.

Next we will be looking at the Codified Ordinances concerning the Service Department.

## **RESOLUTION NO. 2017-65**

### **A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A LEASE AGREEMENT WITH CLEVELAND ELECTRIC ILLUMINATING COMPANY**

Mr. Bloam agreed to make the motion, Ms. Duszynski agreed to second.

## **OTHER BUSINESS:**

Motion to accept the Minutes of the Record Retention Meeting and place them on file.

Ms. Harris agreed to make the motion, Ms. Henley agreed to second.

Motion to accept the recommendation of the Tax Incentive Review Council to continue the agreement with Charter Steel.

Ms. Henley and Ms. Duszynski explained that the committee is very happy with the job creation at Charter Steel, and they have exceeded the required amount of new jobs attributed to the tax abatement agreement. The recommendation from the committee was to continue the abatement for another year.

Ms. Duszynski agreed to make the motion, Ms. Henley agreed to second.

Mr. Bloam as head of Public Works, explained that he has introduced the following four motions to move forward with projects that were discussed by Public Works that they feel we need to move forward with in 2018. Ms. Duszynski asked if this was only to let the Engineer go out for bids on all the motions. Mr. Bloam said that is correct, it only allows us to go out for bids.

Ms. Henley asked if any of this included the parking lot on E. 49<sup>th</sup> Street. Engineer Sciano explained that the E.49<sup>th</sup> parking lot project is going forward this year, and the work should start the week after Labor Day. Mayor Bacci said that if any portion of the project comes in over \$25,000.00 they will come back to Council for approval. Ms. Biro would like to include all of the portions as a whole, and then vote on legislation if it is over \$25,000.00. Mayor Bacci asked Ms. Biro how she would like to proceed with the bids for the parking lot on E. 49<sup>th</sup> Street. Ms. Biro stated that she would like all portions of the project added up for a total amount, and if it is over \$50,000.00 it must go out for bid, and then come before Council for a vote. I am not against the project moving forward, I would just like to be able to answer someone's question concerning the total cost of the project if I am asked by a resident.

Mr. Sciano said that under that scenario, we must then follow standard bidding processes, and we must than use a General Contractor which would make the project longer and more expensive. If we try to use local contractors for each portion of the project, we are requesting proposals for each specific task. This takes less time, and saves money. The Mayor asked if this is appropriate. Mr. Mason stated that this is appropriate. Mr. Sciano was asked by Mayor Bacci if we had these proposals for the September meeting, would it fit into our time frame for completion this year. Mr. Sciano said if the property was ready, and we had clear access to the property, we could get it done. If it has to go through the bid process, we would not have enough time to complete the project this year.

It was agreed to move forward with proposals for pieces of the project, as long as Council had a total amount for the project.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the Service Department Parking Lot Reconstruction.

Mr. Bloam agreed to make the motion, Mr. Schoeffler agreed to second.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the E. 71<sup>st</sup> Street Cross Over Improvements.

Mr. Bloam agreed to make the motion, Ms. Henley agreed to second.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the Harvard Avenue Full Depth Rigid Pavement Repairs.

Mr. Bloam agreed to make the motion, Ms. Harris agreed to second.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the Canal Road Full Depth and Rigid Pavement Reconstruction – Phase 1.

Mr. Bloam agreed to make the motion, Ms. Duszynski agreed to second.

Mr. Unger asked Mr. Bloam if he explained to Council that these project are planned for 2018. Mr. Bloam said he did explain that to Council.

Mayor Bacci said that we need to go into Executive Session regarding personnel, and we need to excuse Councilwoman Henley because it has to do with one of her family members. Ms. Henley didn't think it was right to be excluded from the conversation. Mayor Bacci said it is the law, and that he has the right to invite members into Executive Session, but he still loves her. Ms. Henley said she has never been asked to leave an Executive Session in 30 years.

Motion to go into Executive Session for personnel matters.

Ms. Duszynski made the motion, seconded by Mr. Schoeffler. All in favor, none opposed. Motion carried.

Ms. Duszynski made the motion to come out of Executive Session, seconded by Ms. Harris. All in favor, none opposed. Motion carried.

Caucus ended at 7:30pm.

**MINUTES  
VILLAGE OF CUYAHOGA HEIGHTS  
COUNCIL MEETING  
AUGUST 9, 2017  
7:00 PM**

**COUNCIL MEETING**

**AUGUST 9, 2017**

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Mayor Bacci called the meeting to order. Clerk Unger called the roll. Those present were, Council members Barb Biro, Todd Bloam, Marilyn Duszynski, Cheryl Harris, Lois Henley, and Matt Schoeffler. Also present were Law Director Bill Mason, Assistant Law Director Ben Chojnacki, Engineer Todd Sciano, Building Commissioner Norm Casini, Assistant Building Commissioner Ken Labella, Assistant Clerk Angel Meriwether, Administrative Accounting Assistants Amanda Domzalski and Christina Pace, Service Director Dave Sammons, Head Dispatcher Barb Cash, Police Chief Brian Sturgill, and Fire Chief Mike Suhy.

**ROLL CALL: Biro, Bloam, Duszynski, Harris, Henley, Schoeffler**

**COMMUNICATIONS:**

From Mayor Bacci:

A letter to the residents of the Village with information concerning the crossover at Route 21 from E. 71<sup>st</sup> Street.

Ms. Biro made the motion to accept this communication and place it on file, seconded by Mr. Schoeffler. All in favor, none opposed. Motion carried.

**PERMITS:**

None at this time.

**PURCHASES:**

None at this time.



**ORDINANCE NO. 2017-64**

AN ORDINANCE AMENDING CERTAIN SECTIONS OF PART TWO,  
“ADMINISTRATION CODE,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF  
CUYAHOGA HEIGHTS

Mr. Bloam moved, seconded by Mr. Schoeffler that the rules be suspended and the Resolution be placed on third and final reading. All in favor, none opposed for suspension of the rules. All in favor, none opposed for the adoption, motion carried.

**RESOLUTION NO. 2017-65**

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO  
ENTER INTO A LEASE AGREEMENT WITH CLEVELAND ELECTRIC  
ILLUMINATING COMPANY

Mr. Bloam moved, seconded by Ms. Duszynski that the rules be suspended and the Resolution be placed on third and final reading. All in favor, none opposed for suspension of the rules. All in favor, none opposed for the adoption, motion carried.

**OTHER BUSINESS:**

Motion to accept the Minutes of the Record Retention Meeting and place them on file.

Ms. Harris made the motion, seconded by Ms. Henley. All in favor, none opposed. Motion carried.

Motion to accept the recommendation of the Tax Incentive Review Council to continue the agreement with Charter Steel.

Ms. Duszynski made the motion, seconded by Ms. Henley. All in favor, none opposed. Motion carried.

Clerk Unger explained that the next four motions are being requested by the Public Works Committee for work to be done in 2018.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the Service Department Lot Reconstruction.

Mr. Bloam made the motion, seconded by Mr. Schoeffler. All in favor, none opposed. Motion carried.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the E. 71<sup>st</sup> Street Cross Over Improvements.

Mr. Bloam made the motion, seconded by Ms. Henley. All in favor, none opposed. Motion carried.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the Harvard Avenue Full Depth Rigid Pavement Repairs.

Mr. Bloam made the motion, seconded by Ms. Harris. All in favor, none opposed. Motion carried.

A motion for the Engineer to prepare plans and specifications and advertise for bid for the Canal Road Full Depth and Rigid Pavement Reconstruction – Phase 1.

Mr. Bloam made the motion, seconded by Ms. Duszynski. All in favor, none opposed. Motion carried.

## **MAYOR AND COUNCIL REPORTS:**

### **MAYOR BACCI:**

I would like to convey our deepest sympathies to Brandy Kostura for the loss of her mother, Kimberly Douglass who passed away earlier this month at the age of 55. Please keep Brandy and her family in your thoughts and prayers.

This Saturday, our pool staff will be holding their annual “End of Summer Pool Party.” I hope many of our residents will take part in the festivities. Normally, after the party, we close the pool for the season; however, we are going to keep it open on Saturdays and Sundays for open swim from 1:00-6:00 p.m. The pool will officially close for the season at 6:00 p.m. on Sunday, August 27. We hope our residents and patrons will utilize the facility during these extended weekends.

Our office staff put together a trip to Chagrin Falls for next Saturday and I'm happy to say that the bus is almost full. Our staff is working diligently in putting trips together for our residents. Our upcoming Cleveland Indians game is sold out, and there will be an insert in this week's Neighborhood News for two upcoming trips later this year – Wicked at the State Theatre and the Harlem Globetrotters at Quicken Loans.

Our office is also working on our trip to Kelleys Island on August 28 with our seniors -- our annual luncheon with the businesses on September 15 -- our senior flu shot and breakfast on September 29 and finally -- the Corn Roast on October 14.

Concession Stand Manager Kelly Hartman and her staff had a great turn out with our Village resident senior citizens on August 2 for senior day. Our seniors were offered a free lunch or dinner. Several seniors were unable to come down to the park and the staff delivered them personally. Great job ladies! Their next event is "Cuyahoga Heights Resident's Day" on Friday, August 11 with half off prices.

Good luck to our Redskins Football team who have a scrimmage this Friday at home against Shaw High School; game time is 6:00 p.m.

The kids go back to school next Thursday, August 17 – please be careful driving in and out of your driveway, as well as paying attention in the school zone – we have a lot of little ones walking to school.

August birthday wishes to employees: (1) Ross Patterson; (4) Randy Eliason & Brian Baciak; (5) Angel Motz; (11) Ted Mackiewicz; (14) Scott Schoeffler; (15) Jamie Lukas; (16) Wesley Unger; (20) Jasmine Wallace; (24) Sara Kozlowski; (27) Michaela Bloam and (30) Craig Morrow.

Please continue to keep several residents in your thoughts and prayers: Theresa Bentlejewski, Mrs. Ernestine Deliberato, Mrs. Helen Krusinski, Mrs. Helen Leciejewski, Mrs. Donna Pellini, Mrs. Terri Sollars, and Mrs. Dorothy Sonoda.

## **MS. BIRO**

Ms. Biro wanted to expand on Ordinance 2017-64. It was discussed in detail during the Caucus, the committee met last month and went over the Police & Fire Department Codified Ordinances. Certain areas were repealed because they were no longer applicable to the departments or they were in conflict with the bargaining unit. Certain areas were changed for title purposes.

We reached out to Ms. Meriwether and Mr. Chojnacki to go over with the department heads some suggestions that were made to make sure they are in agreement. We would like to reference what the Chiefs have on file. We will defer to the best judgements of the departments.

The section on promotional for Police, Fire, and Dispatch was very complicated, and again we will defer to the department heads. The Mayor explained that some of that language was due to

the climate we were in at that time, and the Chiefs and I have discussed ways to present to Council a more fluid movement of the positions. As you know, these positions are not as popular as they used to be, so we are looking for ways to get the employees to engage them in the future.

The next area the committee will be looking at is the Service Department & Other Employment Provisions. Hopefully we will have additional legislation for the next meeting.

On Economic Development, we are continuing to apply for grants and working with existing grants. Ms. Biro has a detailed report from Silverlode, and she will forward it to anyone that wants it.

**MR. BLOAM:**

Mr. Bloam explained that the Public Works Committee was getting ahead of the projects for 2018 by voting tonight on the motions to prepare plans and specifications for these projects. He wanted to thank Engineer Todd Sciano for helping the committee to accomplish this goal.

The Mayor thanked the committee for being on top of all the projects, and admitted that this is something we haven't done for a long time.

**MS. DUSZYNSKI:**

Finance approved a PO in the amount of \$24,924.27 to update the security system at the Village Hall, a change order for the watering pump and hose from Northwest Services in the amount of \$2,391.63, and another change order in the amount of \$1,800.00 for cement work for pavement repairs on E.71<sup>st</sup> Street.

Ms. Duszynski stated that we have been trying to get the crossover on I77 from E.71<sup>st</sup> Street for over 25 years, but she just wants to make sure that it is going to be safe. She asked the Mayor who was going to be doing the work to make it safe.

The Mayor stated that first of all, ODOT would not let us do anything that was not considered safe. You couple that with the incredible knowledge of our Engineer and his staff, and it will be done safely. Most crashes are due to operator error, or not obeying the laws. I am confident that if everyone follows the law, we will be in good shape for the future. This will allow our residents to travel safely from E.71<sup>st</sup> Street, southbound on Interstate 77.

Ms. Duszynski wanted to mention that she was there for the ribbon cutting on the Metro Parks bridge opening, and it was very nice.

**MS. HARRIS:**

Ms. Harris stated that she wasn't on Council when the Village rebate was rescinded, so she asked the Mayor what was the reason behind it? The Mayor said that the records will show that we were in a financial crisis at that time, and even though it did not make a huge impact on the budget, ultimately many sacrifices had to be made. So we talked to the Law Director, and he

presented some kind of documentation that not only was it a timing thing as far as the economy, also that it might not be lawful to do in his eyes. What the Mayor will do is ask our law department to provide the documents related to this decision, and we will get you a copy.

Ms. Duszynski said she was told at that time, was that we gave this rebate from the interest we earned from our investments in the bank. At that time, interest was way down, and we stopped the rebate. That's what she was told at the time they took it away. The Mayor stated that it could have been, and he doesn't want to go into semantics on why, but the bottom line is we didn't need to be giving out rebates when we were ending employees careers. If we had an opinion on the inception of that, we will find the document from then Law Director Jonathon Greenberg that said this is just something that you don't need to be doing, and we will get that document for you.

**MS. HENLEY:**

Nothing at this time.

**MR. SCHOEFFLER:**

The Codified Ordinance Review Committee will meet this month on August 30<sup>th</sup> at 5:15pm. The Mayor thanked the committee for their work, he knows it is not an exciting job, but it will be nice to know that the Ordinances are all up to date.

**SERVICE DIRECTOR DAVE SAMMONS:**

Thanked Engineer Todd Sciano for helping us line up the projects for 2018.

**HEAD DISPATCHER BARB CASH:**

Nothing at this time.

**FIRE CHIEF SUHY:**

Nothing at this time.

**CHIEF STURGILL:**

Nothing at this time.

**LAW DIRECTOR BILL MASON:**

Nothing at this time.

**CLERK UNGER:**

Nothing at this time.

**ADMINISTRATIVE ASSISTANT TO THE MAYOR LEE ANN SCHOEFFLER:**

Nothing at this time.

**ASSISTANT CLERK ANGEL MERIWETHER:**

Nothing at this time.

**ASSISTANT LAW DIRECTOR BEN CHOJNACKI:**

Mayor Bacci asked Mr. Chojnacki to quickly go over the status of the properties we are currently trying to, or currently purchased.

Mr. Chojnacki updated Council on the properties on E.72<sup>nd</sup>. The Village is the owner of the rear portion of the Perozini parcel, the rear portion of the Vaccher parcel, and the Major home. We are in negotiations for the front Vaccher property. Mr. Sciano is working on the demolition of the Majors house as well as the two homes at the bottom of E. 71<sup>st</sup> Street that we purchased.

We are currently working with the Mallos estate to correct the violations as it pertains to the properties at 5015 E.71<sup>st</sup> Street. They are set to report to me on a plan to deal with the properties. Currently there is a holdup in probate court on receiving the properties and other parcels owned by the Mallos family.

The Mayor wanted to expound on the situation. He explained that it is the house that Mike Mallos previously lived in. We are getting a lot of feedback from residents living on E. 71<sup>st</sup> Street that they need to clean up the property. Mr. Chojnacki and the Building Department are giving them the time they need to do this. It is also the property in the back of the property that has been abandoned or unoccupied for many years. The Building Department has files on these properties that are bigger than phone books. The law department and building department are on it.

Mr. Bloam asked about the demolition of the properties on E. 71<sup>st</sup> Street. Engineer Sciano explained that the two houses on E. 71<sup>st</sup> Street that are scheduled for demolition and they are so close together that we are trying to demo them together. It makes sense to start in the middle and work your way out. The Majors house on E. 72<sup>nd</sup> will be a stand-alone demolition.

Mr. Chojnacki said he will be meeting with the lawyers next week regarding the house north of the Hillside property on E. 71<sup>st</sup> Street. Mayor Bacci said this is the Sable/Harvard Refuse property on E. 71<sup>st</sup> Street. We need to clean that area up for anyone that wants to do anything there in the future.

**ENGINEER TODD SCIANO:**

Thanked Council for the support on the projects, it makes it much easier to move forward with projects when they are well planned out.

We are working with the gas company on the section of E.71<sup>st</sup> Street on the area that they opened and repaired. They repaired the road after they did the work, but not to our standards. They hired a third party to do the work, and it is not a good job. The gas company pulled the permit, and we will be going after them to make repairs.

The Hillside property is going to be graded to level with E. 71<sup>st</sup> Street.

**ASSISTANT BUILDING COMMISSIONER KEN LABELLA:**

Nothing at this time.

**BUILDING COMMISSIONER NORM CASINI:**

Nothing at this time.

**ADMINISTRATIVE ACCOUNTING ASSISTANT AMANDA DOMZALSKI:**

Nothing at this time.

**ADMINISTRATIVE ACCOUNTING ASSISTANT CHRISTINA PACE:**

Nothing at this time.

**COMMENTS FROM THE AUDIENCE:**

None at this time.

WHEREFORE, there is no further business before this Council, Ms. Duszynski moved, seconded by Mr. Schoeffler that the Council Meeting be adjourned at 8:20 p.m. All voting aye, none opposed: motion carried.