

VILLAGE OF CUYAHOGA HEIGHTS

COUNCIL MEETING

AUGUST 8TH, 2012

Mayor Bacci called for a moment of silence for the passing of Livia Vaccher.

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

Mayor Bacci called the meeting to order. Clerk Unger called the roll. Those present were, Todd Bloam, Renato Contipelli, Marilyn Duszynski, Ralph Faragone, Cheryl Harris, and Barb Biro. Also present were Fire Chief Cash, Assistant Service Director Rick Henley, Law Director Jon Greenberg, Administrative Assistant to the Village Hall Angel Meriwether, Police Chief Douglas Pallini, Administrative Assistant Lee Ann Schoeffler, Building Commissioner Norm Casini, and Engineer Todd Sciano.

Clerk Unger presented the July 11, 2012 Council Meeting and the July 10 Public Hearing meeting minutes.

Mr. Faragone moved, seconded by Ms. Harris that the minutes be accepted and placed on file. Bloam, Duszynski, Contipelli, Faragone, Harris, Biro voting aye, none opposed; Motion carried.

COMMUNICATIONS:

From Linda Atwell:

A letter thanking all Village Officials for the support she received during the untimely passing of her husband Jim. She extends her appreciation to the Police & Fire Department who were professional and caring during this terrible time.

She feels very fortunate to live in a community where people are so generous and kind, and hopes to continue being a part of the community for many more years.

From the Department of Commerce:

A letter to Council informing them that all permits to sell alcoholic beverages in your subdivision will expire on October 1, 2012.

Ohio revised Code provides Council with the right to object to the renewal of a permit and to request a hearing involving a permit that might be a problem in your area.

In order to register a valid objection and obtain a hearing, Council must pass a resolution which specifies the reason for objecting and send it to the Division of Liquor Control.

From Mayor Bacci:

A letter from Mayor Bacci to the Charter Review Commission thanking them for their participation and recommendations to Council.

Ms. Duszynski moved, seconded by Mr. Bloam to accept the communication as read and place on file. All voting aye, none opposed; Motion carried.

PERMITS:

None at this time.

PURCHASES:

From Todd Sciano, Village Engineer:

Harvard Avenue Retaining Wall proposals for soil borings, soil sampling, soil testing, engineering analysis and reports and recommendations. They requested proposals from three companies.

CTL Engineering	\$3,001.00
Solar Testing	\$4,528.00
David V. Lewin	\$5,480.00

Mr. Sciano's recommendation is CTL Engineering and would ask Council to accept their proposal.

Mr. Bloam moved, seconded by Mr. Faragone to approve the purchase from CTL Engineering. All voting aye, none opposed; motion carried.

FINANCIAL REPORTS:

Position of Cash Statement
R.I.T.A Preliminary report for August 2012

Ms. Harris moved, seconded by Ms. Duszynski is to accept the reports as prepared. All voting aye, none opposed; motion carried.

LEGISLATION:

Mr. Bloam moved, seconded by Mr. Contipelli to instruct the Clerk to group the pay resolutions for reading and adoption. All voting aye, none opposed; motion carried.

RESOLUTION NO.: 2012-67	Payment of Certain Claims:	\$782,889.23
	Payroll	
	General Bills	
	(#43583 - #43688)	

Ms. Duszynski moved, seconded by Ms. Harris that the rules be suspended and the following resolution be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, voting aye, none opposed, Biro abstained; motion carried. The Resolution was passed by the same vote.

RESOLUTION NO.: 2012-68

A MEMORIAL RESOLUTION FOR JAMES W. ATTEWELL

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

RESOLUTION NO.: 2012-69

A MEMORIAL RESOLUTION FOR LIVIA VACCHER

Ms. Biro moved, seconded by Ms. Duszynski that the rules be suspended and the following resolution be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The Resolution was passed by the same vote.

RESOLUTION NO.: 2012-70

A RESOLUTION CERTIFYING DELINQUENT CHARGES
FOR NUISANCE ABATEMENT TO THE COUNTY AUDITOR

Ms. Biro moved, seconded by Mr. Bloam that the rules be suspended and the following resolution be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The resolution was passed by the same vote.

RESOLUTION NO.: 2012-71

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO ENTER
INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION
FOR THE ROUTE 21/BRECKSVILLE ROAD RESURFACING PROJECT
(ODOT PID No. 81911)

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

RESOLUTION NO.: 2012-72

A RESOLUTION AUTHORIZING PAYMENT OF A
CLAIM TO LOU ANN WHITE FOR PROPERTY LOSS

Mr. Contipelli moved, seconded by Mr. Bloam that the rules be suspended and the following resolution be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The Resolution was passed by the same vote.

RESOLUTION NO.: 2012-73

A RESOLUTION ESTABLISHING THE CUYAHOGA COUNTY OFFICE OF EMERGENCY
MANAGEMENT TO BE THE VILLAGE OF CUYAHOGA HEIGHTS'
COUNTYWIDE EMERGENCY MANAGEMENT AGENCY

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

RESOLUTION NO.: 2012-74

A RESOLUTION AUTHORIZING THE VILLAGE OF CUYAHOGA HEIGHTS TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM

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

ORDINANCE NO.: 2012-76

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE VILLAGE OF CUYAHOGA HEIGHTS A PROPOSAL TO AMEND ARTICLE I, SECTION 4 OF THE VILLAGE CHARTER TO PROVIDE FOR THE VILLAGE TO PAY STORMWATER FEES IMPOSED ON VILLAGE RESIDENTS FROM THE SEWER USER CHARGE FUND

Ms. Duszynski moved, seconded by Mr. Faragone that the rules be suspended and the following ordinance be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The ordinance was passed by the same vote.

ORDINANCE NO.: 2012-77

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE VILLAGE OF CUYAHOGA HEIGHTS A PROPOSAL TO AMEND ARTICLE II, SECTION 1 OF THE CHARTER TO PROVIDE FOR FOUR YEAR STAGGERED TERMS FOR THE MEMBERS OF COUNCIL OF THE VILLAGE OF CUYAHOGA HEIGHTS

Ms. Biro moved, seconded by Mr. Bloam that the rules be suspended and the following ordinance be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The ordinance was passed by the same vote.

ORDINANCE NO.: 2012-78

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY

Ms. Duszynski moved, seconded by Ms. Harris that the rules be suspended and the following ordinance be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The ordinance was passed by the same vote.

RESOLUTION NO.: 2012-79

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOTES, IN A MAXIMUM PRINCIPAL AMOUNT OF \$1,530,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RETIRING OUTSTANDING NOTES ISSUED FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, AND EQUIPPING A POLICE FACILITY, AND OTHERWISE IMPROVING POLICE FACILITIES AND THEIR SITES, AND THE COSTS OF ISSUANCE OF THE NOTES; AND DECLARING AN EMERGENCY.

Ms. Duszynski moved, seconded by Mr. Contipelli that the rules be suspended and the following resolution be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The resolution was passed by the same vote.

RESOLUTION NO.: 2012-80

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A LICENSE AGREEMENT WITH THE CLEVELAND ELECTRIC ILLUMINATING COMPANY FOR USE OF REAL PROPERTY

Mr. Contipelli moved, seconded by Mr. Bloam that the rules be suspended and the following resolution be placed on third and final reading. Contipelli, Faragone, Harris, Bloam, Biro voting aye, none opposed, Duszynski abstained; motion carried. The resolution was passed by the same vote.

ORDINANCE NO.: 2012-81

AN ORDINANCE AMENDING SECTIONS 246.10 AND 246.14 OF THE CODIFIED ORDINANCES OF THE VILLAGE PERTAINING TO APPOINTMENTS AND PROMOTIONS IN THE POLICE, FIRE, AND DISPATCH DEPARTMENTS; AND DECLARING AN EMERGENCY

Mr. Bloam moved, seconded by Ms. Harris that the rules be suspended and the following ordinance be placed on third and final reading. Contipelli, Duszynski, Faragone, Harris, Bloam, Biro voting aye, none opposed; motion carried. The ordinance was passed by the same vote.

OTHER BUSINESS:

A motion accepting/amending the recommendations of the Tax Incentive Review Council concerning the Enterprise Zone Agreements with Research Organics, and Charter Steel.

Ms. Biro moved, seconded by Ms. Duszynski to amend the recommendations of the Tax Incentive Review Council and continue both abatements as is. Contipelli, Duszynski, Harris, Bloam, Biro voting aye, Faragone opposed; motion carried.

MAYOR AND COUNCIL REPORTS:

MAYOR BACCI:

Asked that condolences be extended to the Vaccher family for the passing of Livia Vaccher.

Extended birthday wishes to Mrs. Blue and Mrs. Venchi.

Noted the Pony League Baseball coached by Mr. Hartman won the league and 2012 championship against Brecksville. Mr. Hartman wishes to extend a special thank you to Sports Commissioner Joe Vitanza, Service Director Waldemarson, and Danny Volek for their support.

Lou Franco did an outstanding job on park painting projects.

The Village did not receive funds from the Cuyahoga County Prosecutor's office for the delinquency tax grant.

Extended birthday wishes to Brian Baciak, Ross Paterson, Randy Eliason, Angel Motz, Scott Schoeffler, Tom Lugo, Jamie Lucas, Wesley Unger, Jasmine Wallace, Mike Chase, Craig Morrow.

Congratulations to Captain Patrick Koran on starting his 25th year as an employee of the village.

The pool staff will be holding a party on Saturday, August 11th from 6-9pm to celebrate the close of the season.

MR. TODD BLOAM:

Called a Community Development Committee (Master Plan Committee) meeting for August 22nd at 6pm to be held at Town Hall.

MR. CONTIPELLI:

The website is progressing. Would like future newsletters to promote website more.

The village should receive notice sometime after the 1st of the year regarding the stream restoration plan on E.49th Street.

Congratulated the boys Pony League team.

MS. MARILYN DUSZYNSKI:

Finance Committee approved the A/C repair at the Willow House from Consolidated Heating & A/C not to exceed \$9,571.

Congratulated to the Pony Boys team.

The Mayor stated the bat houses will be installed soon.

Commended the work of Mr. Franco.

Noted she is happy with her EDC reports received on the iPad.

MR. FARAGONE:

Asked for more information regarding the E.49th Street stream restoration project.

Explained a tree on the power company's property has a large dead branch leaning over the property at 4616 E. 49th Street. Can we have CEI do something about this? The Mayor stated he would address this.

The CAC would like to have a bus or van drop residents off at Public Square around noon and pick them up at approximately 4pm so they can go shopping and then repeat this near Christmas time. They would also like a trip to Little Italy as well as the Aquarium.

Congratulated the Boys Pony team.

The speed signs will be discussed again at the workshop and the possibility of issuing tickets to speeders. Mayor Bacci asked that Lee Ann provide a note to Chief Pallini to research the camera citations.

MS. HARRIS:

Congratulations to the boys baseball team.

Mr. Contipelli asked Council to look into things now such as benches, trash cans, etc. for the trail plan. Mayor Bacci noted \$150,000 would cover the expenses outlined in the letter, not necessarily the entire project. Mr. Bloam outlined what the \$150,000 pertained to including: signage, retaining wall, electrical, landscaping, Sunny Pond site furniture, pavilion, decking, stocking the pond, pavers, professional services, architectural, project management, surveying, etc. A brief discussion occurred.

MS. BIRO:

Asked that the newsletter be more specific regarding Special Pick-ups, specifically what is in them, where they will be located, etc. Mayor Bacci explained the policy was in place when this issue occurred. Discussion occurred. Mayor Bacci explained it will also be placed in the next newsletter.

A discussion about projects occurred.

SERVICE DIRECTOR WALDEMARSON:

Crosswalks and school signs have been painted.

Playground equipment and pavilion have been painted.

Shrubs and growth have been removed from original Rt. 21 bed.

The pool lift chair has been installed.

Mr. Contipelli noted the no parking signs are fading and asked if it can be touched up. Mr. Waldemarson stated he would investigate.

FIRE CHIEF NEAL CASH:

Nothing at this time.

Mayor Bacci noted issues with the Voyale property and the brush fire at Harvard Refuse and the great job the fire department did in handling the problem.

MR. JONATHAN GREENBERG:

Updated the Sewer District Case and explained a "stay" has been filed.

Informed Council the Village has been included in a class action case pursuing JP Morgan. The Village does not need to take action.

CLERK UNGER:

RITA revenue is up by \$58,000 so far this month over the same time last year. Related directly to the steel mills.

MRS. LEE ANN SCHOEFFLER:

Nothing at this time.

MRS. ANGEL MERIWETHER:

Nothing at this time.

MR. NORMAN CASINI:

The post and roping at the pond is completed for which we budgeted \$4,200 and completed for \$3,800.

MR. TODD SCIANO:

Will have projects ready for review by the September Council meetings.

COMMENTS FROM THE AUDIENCE:

Mrs. Cash thanked Mr. Sciano for street maps.

WHEREFORE, there is no further business before this Council, Ms. Biro moved, seconded by Ms. Duszynski that the Council Meeting be adjourned at 8:05 PM. All voting aye, none opposed; motion carried.