

VILLAGE OF CUYAHOGA HEIGHTS

COUNCIL MEETING

March 13, 2013

Pledge of Allegiance/Turn off Cell Phones

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

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

ROLL CALL: Biro, Bloam, Contipelli, Duszynski, Faragone, Harris

MINUTES:

January 9, 2013	Council Meeting
January 23, 2013	Council Workshop
February 12, 2013	Special Council Workshop
February 13, 2013	Council Meeting
February 20, 2013	Special Council Workshop
February 27, 2013	Council Workshop

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

COMMUNICATIONS:

None at this time

PERMITS:

None at this time.

PURCHASES:

None at this time

FINANCIAL REPORTS:

Position of Cash Statement
R.I.T.A Preliminary report for March 2013

Ms. Duszynski made the motion to accept the reports, seconded by Mr. Contipelli. All in favor, none opposed. Motion carried.

LEGISLATION:

ORDINANCE NO. 2013-12 SECOND READING

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF CUYAHOGA HEIGHTS, STATE OF OHIO, DURING THE PERIOD ENDING DECEMBER 31, 2013.

Mr. Bloam moved, seconded by Ms. Duszynski that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Harris voting aye for the adoption. Motion carried.

RESOLUTION NO. 2013-14 SECOND READING

A RESOLUTION AUTHORIZING THE CLERK TO PURCHASE A NEW VEHICLE FOR THE FIRE DEPARTMENT FROM STATEWIDE FORD THROUGH THE STATE OF OHIO PURCHASING PROGRAM

Mr. Contipelli moved, seconded by Ms. Biro that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Harris voting aye for the adoption. Motion carried.

RESOLUTION NO. 2013-15 SECOND READING

A RESOLUTION AUTHORIZING THE CLERK TO PURCHASE A NEW SERVICE
DEPARTMENT VEHICLE FROM INTERNATIONAL AND TO PURCHASE RELATED
PARTS AND EQUIPMENT FROM CONCORD ROAD EQUIPMENT MFG., INC. BOTH
THROUGH THE STATE OF OHIO PURCHASING PROGRAM

Mr. Bloam moved, seconded by Ms. Harris that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Harris voting aye for the adoption. Motion carried.

ORDINANCE NO. 2013-16 SECOND READING

AN ORDINANCE AMENDING CHAPTERS 234 AND 236 AND OTHER PROVISIONS OF
THE CODIFIED ORDINANCES OF THE VILLAGE TO CREATE THE APPOINTED
POSITION OF FISCAL OFFICER AND TO ALLOCATE THERETO THE FISCAL DUTIES
AND RESPONSIBILITIES NOW PERFORMED BY THE CLERK.

Mr. Contipelli made the statement that the Council the Mayor the Clerk and I recognize the enormity of the Finance Departments responsibilities and we all need to further educate the community on it and the continuing evolution of this position moving forward. Therefore I believe we need to withdraw the Ordinance from consideration, and introduce it at a later date.

Mr. Contipelli made the motion to withdraw the Ordinance, Mr. Faragone seconded the motion. . Biro, Bloam, Contipelli, Duszynski, Harris voting aye for the adoption. Motion carried.
ORDINANCE NO. 2013-17 SECOND READING

AN ORDINANCE AMENDING THE EMPLOYEE
COMPENSATION SCHEDULE

For the same reasons he stated previously, and since this is tied into the previous Ordinance, Mr. Contipelli made the motion to withdraw this Ordinance also, seconded by Mr. Faragone. Biro, Bloam, Contipelli, Duszynski, Harris voting aye for the adoption. Motion carried.

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

RESOLUTION NO. 2013-19	Payment of Certain Claims:	\$999,771.58
	Payroll	
	General Bills	
	(#44264 - #44657)	

Ms. Duszynski moved, seconded by Mr. Faragone that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for the adoption. Motion carried.

RESOLUTION NO. 2013-20

A RESOLUTION AUTHORIZING THE CLERK TO DISPOSE
OF SURPLUS OFFICE FURNITURE AND EQUIPMENT

Ms. Duszynski moved, seconded by Mr. Faragone that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for the adoption. Motion carried.

RESOLUTION NO. 2013-21

A RESOLUTION AUTHORIZING A CHANGE ORDER UNDER THE SALES
AGREEMENT WITH TELECO OF CLEVELAND FOR TELEPHONE SYSTEM
EQUIPMENT

There was some discussion on why we needed additional phones, and where they went. Clerk Unger assured everyone that he would find out why we needed more than the original proposal, and would make sure that it will be addressed and won't happen again.

Mr. Contipelli moved, seconded by Ms. Harris that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for the adoption. Motion carried.

RESOLUTION NO. 2013-22

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO CONTRACT WITH
AGGRESSIVE TERMITE & PEST CONTROL ON AN AS NEEDED BASIS FOR
EXTERMINATION SERVICES

Ms. Duszynski moved, seconded by Ms. Biro that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for the adoption. Motion carried.

RESOLUTION NO. 2013-23

FIRST READING

A RESOLUTION ACCEPTING THE BID OF SNAVELY EXCAVATING CO.
FOR SITE AND UTILITY IMPROVEMENTS FOR
RESTROOM FACILITIES AT LOUIS J. BACCI PARK

RESOLUTION NO. 2013-24

FIRST READING

A RESOLUTION ACCEPTING THE BID OF EMOD CONSTRUCTION COMPANY
FOR THE BUILDING STRUCTURE FOR THE
RESTROOM FACILITIES AT LOUIS J. BACCI PARK

RESOLUTION NO. 2013-25

A RESOLUTION CONCURRING IN THE APPOINTMENT RALPH FARAGONE AND
BARB BIRO TO THE CUYAHOGA COUNTY TAX INCENTIVE REVIEW COUNCIL

Ms. Duszynski moved, seconded by Mr. Bloam that the rules be suspended and the Ordinance be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for suspension of the rules; motion carried. Biro, Bloam, Contipelli, Duszynski, Faragone, Harris voting aye for the adoption. Motion carried.

OTHER BUSINESS:

Motion to move into the CIC

Mr. Bloam made the motion to move into the CIC, Mr. Contipelli seconded it. All in favor, none opposed

Roll Call: Biro, Bloam, Contipelli, Duszynski, Faragone, Harris, Greenberg, Bacci, Unger all here. None absent.

Mr. Bacci motioned, seconded by Mr. Unger to accept the minutes of February 13, 2013. All in favor, none opposed. Motion carried.

**A RESOLUTION ACCEPTING THE PROPOSAL OF B & B WRECKING FOR
ADDITIONAL WORK AT 4664 EAST 71ST STREET IN THE VILLAGE**

Mr. Bacci moved, seconded by Mr. Bloam to accept the Resolution for the proposal from B&B Wrecking. All in favor, none opposed. Motion carried.

Mr. Faragone motioned, seconded by Ms. Duszynski to move out of the CIC, and back into the regular Council Meeting. All in favor, none opposed. Motion carried.
Motion to approve the Mayors appointment of Dan Volek as the pool manager for 2013.

Mr. Contipelli motioned, and Ms. Duszynski seconded, to appoint Dan Volek as the pool manager for the 2013 season. All in favor, none opposed. Motion carried.

MAYOR AND COUNCIL REPORTS:

MAYOR BACCI:

As he said at the beginning of the meeting, we have lost a long time resident, Mrs. Piasecki. Our thoughts and prayers go out to Sherry, Marcus, Marissa, and the rest of the family members. We also lost long time resident, Mrs. Ann Brown on March 8th. She was 93 years old. Our prayers also go out to the Brown family, Jachaline and Jay.

Congratulations to resident Hunter Kreninsky who came back from Paris Island and stopped at the Town Hall yesterday. He looks great and is looking forward to spending some time with his family before starting his five year commitment to the Marines.

We have finally secured a meeting with CSX concerning the overpasses on E. 49th Street and one on Grant Avenue. Hopefully this will lead to some actual renovations to the structures.

The Firefighters Credit Union, we are moving forward with this project, and hopefully they will soon present us with a purchase agreement linked to the two acres in what was formerly Electric Welder. They are currently working with Chris Gibbon of our law firm of Walter Haverfield, and hopefully we can get this done soon. We are very excited to possibly have them come to our town.

We have moved the sign from Bacci Park. The reason we did this was because there was some confusion as to where you enter the park, and it will be re-erected here soon.

The Mayor sent a letter to the E. 49th Street residents that there are surveyors working on the East side of the street for the Nicky Boulevard project, and not to have any concerns about anyone working in or about that area.

If anyone is interested in purchasing an Arbor Day tree, the deadline for applications is March 28th.

Birthday wishes for March are Brian Sturgil, March 8th, Joe Wallace, March 11th, Angel Meriwether, March 12th, Jeremy Grabowski, March 15th, and Cathy Zmija, March 24th. Also, congratulations to Ray Smosarski who is celebrating his 25th anniversary as a Cuyahoga Heights Fireman, on March 1st.

I know Mrs. Unger is Irish, but I would like to wish everyone a happy St. Patrick's Day. We are all a little Irish on that day, and please have fun, and be safe.

Our annual Easter Egg Hunt will be on Saturday March 30th, at 1:00 PM at Klima Grove. It is open to all the Village children and Grandchildren, up to 12 years of age.

The Village Hall and Service Department will be closed for Easter, Friday March 29th, and Monday April 1st. Garbage pickup will resume on Tuesday April 2nd.

MR. CONTIPELLI:

We will be having a Workshop on Wednesday, March 20th, dedicated specifically for Capital Projects.

Would like to extend his deepest condolences from him and his wife to the family of Mrs. Piasecki. Felicia was a wonderful Mother and Grandmother, and she will be deeply missed.

Wished everyone a happy Easter.

MS. HARRIS:

Wanted to explain to the residents the purchasing process. The clerk and the mayor have the authority to spend up to \$5,000 without introduction or approval of any member of council. From \$5,000 to \$25,000, the 3-member Finance Committee reviews the request and without introduction or approval of the remaining council members, makes their decision to approve or not approve. Anything over \$25,000 to \$50,000, the request is brought to the entire council to be approved or not to be approved. If the request is over \$50,000, the request must go out for bid.

Ms. Harris strongly suggested that people come to the Caucus, which is an hour before the regular Council Meeting.

MR. FARAGONE:

He would like to discuss at the next Workshop changing the structure of our Council Meetings, and have the audience participation at the beginning of the meeting instead of at the end.

Stated that Ordinance No. 2013-16 was dropped from the Agenda, and it will not be brought up again until the residents are aware of the facts of the job.

MS. DUSZYNSKI:

She thanked Ms. Harris for bringing up the subject of our financial structure. Wants this Council to be aware that on March 14, 2012 this Council passed an Ordinance concerning the purchasing power. Asked if this Council wants to change the Ordinance? She does not want this to be a political football. We adhere to the law in purchasing, and if this Council wants all purchases to go in front of Council, they need to change the Ordinance, and I would like to discuss this at the next Workshop.

Finance report: The Finance Committee approved the Aerial repair and test on the Fire Truck in the amount of \$11,284.46, Pana Drapery in the amount of \$7,851.00, audio recording system for dispatch in the amount of \$12,595.00, furniture for the offices at the Town Hall not to exceed \$24,000.00, new carpeting for the Town Hall in the amount of \$5,375.00 which does not include the old Finance Department office.

MS. BIRO:

Nothing at this time.

MR. BLOAM:

The Master Plan Committee will be having a meeting next Thursday, March 21st, 6:00 PM at the Town Hall.

CLERK UNGER:

Stated that for March of 2013, our first RITA check was for \$751,000.00, and for 2012 we received a total of \$818,000.00. With our second check for 2013, we should come very close or exceed our revenue from 2012. For the first two months of 2013, we are up \$105,000.00 from the first two months of 2012.

Reminded Council that if they have any questions regarding the capital projects that we will be discussing at the next Workshop, they should call him, or the Mayor.

COMENTS FROM THE AUDIENCE:

Mrs. Unger wanted to thank Council for withdrawing the Ordinances concerning the Fiscal Officer, and hopes that they put it on the ballot if they want to move forward with this change again.

Ms. Mitchell questioned the new telephone system. Clerk Unger again explained that there was a mistake in the count for the original proposal, and he would find out what happened, and come back to Council with the explanation.

Ms. Unger asked why we have an extra \$1,900.00 charge for the Electric Welder property. The Mayor explained that when they were tearing the building down, they ran across a pit that had to be cleaned out and dumped. That was the extra charge.

Mrs. Smosarski asked the Mayor what steps he was taking to bring back the Firemen that were let go. The Mayor mentioned that we are honoring our commitment to the Safer grant, and keeping three people employed for the third year, and we have offered the others part time employment to the ones that no longer have full time employment.

Mrs. Mitchell mentioned that all of the discussion of any legislation happens in Caucus, and she would like to see Caucus start at 7:00pm. Mr. Contipelli stated that the Council Business Meeting is at 7:00pm by Ordinance. He also stated that you could change the business meeting to 8:00pm and start the Caucus at 7:00pm. He said that Council would look into it. Ms. Duszynski explained that all of the discussion occurs at Caucus, that is why during the business meeting, it looks very scripted, because the discussion on the legislation had already occurred. Mr. Contipelli again stated that it would be addressed at the Workshop.

Mrs. Mitchell stated that she sent out 247 letters to the residents concerning the issue of Fiscal Officer. She got back 124 responses, 120 for keeping the Clerk an elected position, and 4 against.

She was very happy with the response, and stated that the comments said that if Council wants to make the change, they should explain it to the people, and again put it on the ballot. The Mayor agreed with her.

Mr. Wolezniak asked if the Ordinances would go on first reading if they were brought back. The Mayor stated that he will assure him that they will educate the residents before bringing it up again. He stated at this time, we will not waste any more time on this, in doing something that the public perceives as behind closed doors. He wants the public to know, that Bob is our Clerk, and our relationship is better than it has ever been.

Mr. Contipelli made the motion to adjourn, seconded by Ms. Duszynski. All in favor, none opposed. Meeting adjourned at 8:05pm.