

**VILLAGE OF CUYAHOGA HEIGHTS
CAUCUS
MAY 14, 2014
6:00 PM**

COUNCIL CAUCUS

MAY 14, 2014

Mr. Contipelli called the meeting to order. Clerk Unger called the roll. Those present were, Barbara Biro, Renato Contipelli, Marilyn Duszynski, and Lois Henley. Also in attendance were Village Building Commissioner Norm Casini and Village Engineer Todd Sciano.

Motion to excuse Mr. Bloam & Ms. Harris

Ms. Henley agreed to make the motion to excuse Mr. Bloam and Ms. Harris, Ms. Duszynski will make the second.

MINUTES:

Ms. Biro had some minor changes with the minutes that the Clerk said he would correct.

April 9, 2014	Caucus
April 9, 2014	Council Meeting
April 23, 2014	Workshop

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

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 May 2014

Mr. Contipelli agreed to make the motion to accept the reports, Ms. Henley agreed to second.

LEGISLATION:

There was a discussion concerning the adopting of any legislation with two members of Council absent. Council cannot pass any legislation on an emergency basis without five votes of Council. It was decided to put all legislation on first reading until we can reconvene at a later date. Mr. Unger stated that we have to pass the legislation for the Note quickly, and asked if we could have a Special Meeting next week.

Ms. Biro asked if we were ready to hire for the Police openings. The Mayor stated that the Chief is doing his due diligence and we will soon be ready to come to Council for approval.

Ms. Biro asked if we entered into a contract with the company working with the building department. Mr. Greenberg stated that we use them on an as needed basis.

Ms. Biro asked about Tucker Ellis, the law firm assisting us with Harvard Refuse and the EPA. There was a discussion concerning the property.

LEGISLATION:

Motion to approve payroll in pursuant to the pay Ordinance

Ms. Duszynski will make the motion, Mr. Contipelli will second.

FIRST READING

RESOLUTION NO. 2014-60	Payment of Certain Claims: Payroll General Bills (#46323 - #46443)	\$1,354,407.14
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FIRST READING

RESOLUTION NO. 2014-61

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A LEGAL SERVICES CONTRACT WITH BRICKER & ECKLER, LLP IN CONNECTION WITH THE ISSUANCE OF 2014 GENERAL OBLIGATION NOTES; AND DECLARING AN EMERGENCY

Ms. Duszynski asked if the amount of money for the Resolution is \$4.1 million. She thought it should have been 4.3 million. The Clerk explained that it is 4.1 million because we are paying the note down by 200 thousand.

Mr. Greenberg asked the Clerk if there was a timeline for the issuance of the note with this legislation going on first reading. Mr. Unger explained that he believes these pieces of legislation need to be passed soon in order for the work on the note to go through before it is due. He will let Council know tomorrow morning if we will need a Special Meeting.

FIRST READING

ORDINANCE NO. 2014-62

AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$4,190,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF (I) CONSTRUCTING, RENOVATING, FURNISHING, EQUIPPING, AND IMPROVING VARIOUS MUNICIPAL FACILITIES, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO; (II) CONSTRUCTING AND RECONSTRUCTING VARIOUS ROAD AND SIDEWALK IMPROVEMENTS, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO, AND (III) CONSTRUCTING, FURNISHING; AND EQUIPPING A POLICE FACILITY, AND OTHERWISE IMPROVING POLICE FACILITIES AND THEIR SITES, AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

FIRST READING

RESOLUTION NO. 2014-63

A RESOLUTION AUTHORIZING PAYMENT OF A
CLAIM TO ROY HAIRSTON FOR PROPERTY LOSS;
AND DECLARING AN EMERGENCY

Mr. Contipelli questioned the claim. The Mayor stated that Hilltop towed the vehicle. After a period of time, Lieutenant Stack got rid of the vehicle, and apparently it was not supposed to be taken away. The individual is out the vehicle, and we are trying to make it right. Mr. Greenberg stated that we got the plaintiff to agree to a \$300.00 settlement, and this is a good deal.

FIRST READING

ORDINANCE NO. 2014-64

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO A MUTUAL AID AGREEMENT WITH THE CITY OF BROADVIEW HEIGHTS FOR
PERSONNEL AND EQUIPMENT; AND DECLARING AN EMERGENCY

Ms. Henley asked if we were ever with Broadview Heights. The Mayor stated that this is a part of the Mutual Aid agreement asked by Independence, and now other communities are asking for the same thing. If we are asked to go anywhere, we will go if needed, no matter what. We have not been asked by Cleveland, but the Mayor stated that we are always available to the city of Cleveland with or without a written agreement.

FIRST READING

ORDINANCE NO. 2014-65

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO A MUTUAL AID AGREEMENT WITH THE VILLAGE OF VALLEY VIEW FOR
PERSONNEL AND EQUIPMENT; AND DECLARING AN EMERGENCY

FIRST READING

RESOLUTION NO. 2014-66

A RESOLUTION DECLARING A CERTAIN SERVICE DEPARTMENT
VEHICLE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL
OF THE VEHICLE BY AUCTION

Ms. Henley asked what date the Service Director will be auctioning off the vehicle. The Mayor said she will have to contact Scotty directly.

FIRST READING

ORDINANCE NO. 2014-67

AN ORDINANCE ENACTING A NEW SECTION 414.12 OF THE
CODIFIED ORDINANCES OF THE VILLAGE DESIGNATING CERTAIN STREETS
IN THE VILLAGE AS NOT BEING THROUGH HIGHWAYS

FIRST READING

RESOLUTION NO. 2014-68

A RESOLUTION SUPPORTING THE VILLAGE OF CUYAHOGA HEIGHTS'
GRANT APPLICATION FOR THE CUYAHOGA COUNTY BROWNFIELD
COALITION COMMUNITY ASSESSMENT INITIATIVE FOR
ENVIRONMENTAL ASSESSMENTS FOR 4478 EAST 71st STREET AND
AUTHORIZING THE MAYOR TO APPLY FOR THE GRANT; AND
DECLARING AN EMERGENCY

Ms. Biro asked if there would be a match for the Village if we get this grant. The Mayor said no, there is no match; it is a 100% grant.

FIRST READING

RESOLUTION NO. 2014-69

A RESOLUTION ACCEPTING THE PROPOSAL OF NTH CONSULTANTS, LTD.
FOR A SLOPE FAILURE EVALUATION OF CERTAIN AREAS ON
EAST 49th STREET IN THE VILLAGE

FIRST READING

ORDINANCE NO. 2014-70

AN ORDINANCE AMENDING SECTION 618.13 OF THE
CODIFIED ORDINANCES OF THE VILLAGE PERTAINING TO ANIMAL NUISANCES

The Mayor said he was asked by some residents to have some free range chickens, and although he does not have a problem with that, he just wants to make sure there are laws in place to make sure they are monitored and are not a nuisance to the neighbors. Mr. Greenberg explained that you are not allowed to have farm animals but you can have up to four chickens if you do certain things. If you don't like the ruling you can take it to the Zoning and Planning Commission for a ruling.

FIRST READING

ORDINANCE NO. 2014-71

AN ORDINANCE ENACTING A NEW SECTION 618.08 OF THE
CODIFIED ORDINANCES OF THE VILLAGE REGULATING THE KEEPING
OF FARM ANIMALS AND FOWL IN THE VILLAGE

FIRST READING

ORDINANCE NO. 2014-72

AN ORDINANCE AMENDING SECTIONS 1076.03, 1076.04 AND 1076.06 OF THE
CODIFIED ORDINANCES OF THE VILLAGE REGULATING THE USE OF
THE BASEBALL FIELDS AND PAVILIONS AT BACCI PARK;
AND DECLARING AN EMERGENCY

The Mayor explained that we just want to have more definitive uses for the pavilions. What the Ordinance does is tighten up the usage by making them by permit only. This legislation will also make fishing in the pond by permit only. We are seeing the catch and release not being used, and we want to permit our residents a chance to use the pond with a \$10.00 fee and a valid fishing license.

FIRST READING

RESOLUTION NO. 2014-73

A RESOLUTION AUTHORIZING A CHANGE ORDER WITH SPECIALIZED CONSTRUCTION, INC. FOR THE PARTIAL DEPTH ASPHALT PAVEMENT REPAIRS AND JOINT AND CRACK SEALING PROJECT

There was a question on whether we can do this by motion instead of a contract. Mr. Sciano and Mr. Greenberg will figure it out and let us know. Ms. Duszynski and Ms. Biro asked where the money will come from. Mr. Contipelli stated to work it out with the Clerk. Ms. Biro said they try, but then we are overruled. The Clerk asked, where do you want it to come from? Ms. Duszynski stated that it has been suggested a couple of times to take things out of the street fund, and you as the Clerk made the decision to take it out of somewhere else, and you have that authority, we just make suggestions. The Clerk stated that yes, he makes the final decision.

OTHER BUSINESS:

From Engineer Todd Sciano:

A report regarding the 30" water main repair on E. 71st Street.

A report regarding the sinkhole investigation for Klima Gardens.

These will be talked about at the regular meeting.

Mr. Contipelli adjourned the Caucus at 6:55.

**VILLAGE OF CUYAHOGA HEIGHTS
COUNCIL MEETING**

**Revised
MAY 14, 2014
7:00 PM**

COUNCIL MEETING

MAY 14, 2014

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, Renato Contipelli, Marilyn Duszynski, Lois Henley. Also present were Service Director Scott Waldemarson, Police Chief Brian Sturgill, Fire Chief Neal Cash, Head Dispatcher Barb Cash, 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, Contipelli, Duszynski, Henley

Ms. Henley made the motion to excuse Mr. Bloam and Ms. Harris, seconded by Ms. Duszynski. All in favor, none opposed. Motion carried.

MINUTES:

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Ms. Biro made the motion to accept the minutes, seconded by Ms. Duszynski. All in favor, none opposed. Motion passed.

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 May 2014

Mr. Contipelli made the motion to accept the reports as prepared, seconded by Ms. Henley. All in favor, none opposed. Motion passed.

LEGISLATION:

Motion to approve the payroll in pursuant to the pay Ordinance.

Ms. Duszynski made the motion, seconded by Mr. Contipelli. All agreed, motion carried.

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Motion to approve the Resolution:

_____MVD_____SEC_____AA

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OTHER BUSINESS:

From Engineer Todd Sciano:

A report regarding the 30" water main repair on E. 71st Street.

A report regarding the sinkhole investigation for Klima Gardens.

Mr. Sciano explained that he gave Council the written reports, and if they have any questions, please let him know. He will answer questions during his discussion time at the end of the meeting.

MAYOR AND COUNCIL REPORTS:

MAYOR BACCI:

Condolences to our Building Commissioner Mr. Casini who lost his sister in law around Easter. Also to the Streptock family, who lost their father Nick Streptock. He was an Independence Police Sergeant, one of the best officers he ever knew. Also to Mr. Contipelli who had to put down his long time canine companion Bosco.

The Easter Egg Hunt in the Village was great, we had wonderful weather, and lots of people showed up. Kids had a great time, and the Mayor wanted to thank everyone for donating their time to make it great.

The 15 of May is Police Memorial Day, they will be having a memorial at the FOP Hall.

The Regional Mayors Breakfast at our Town Hall went great. We had about 12 mayors attend, and got a lot of positive feedback about how we are running our village.

The Mayor held his annual Village Business Network Meeting last week at the Town Hall, and there was a great turnout. State Representative, Nick Celebreze was the guest speaker, and we also had a lot of discussion from everyone in attendance. Head Dispatcher Cash gave a wonderful speech about what dispatchers do for the businesses in the community.

Alcoa is doing well, but they are looking for electricians to hire. They can't find enough tradesmen to fill the jobs.

We had the third graders from Cuyahoga Heights Schools tour the Town Hall, and they had some great questions. It went well, and they were very excited and enthusiastic to be here.

The traffic cameras are up, and they will be issuing real citations on May 8th.

Chief Sturgill wrote a letter to the businesses on the East side of E. 49th street near the old House of Larose building about the debris they are leaving on the roadway. Chief Sturgill is working with them to come into compliance.

Happy birthday wishes to Mr. Greenberg and Dave Sammons on May 7th, Trevor Elkins on May 18th, Ricky Bacci on May 26th, Brandi Murphy on May 28th, and Miss Donna Derbin celebrating her 70th birthday on May 4th.

For the Memorial Day parade, we will send out letters to get people to participate in the parade.

MS. HENLEY:

Ms. Henley asked the Mayor if they ever considered having a shredding day at the Town Hall. The Mayor stated that the people at Gateway would like to participate. Ms. Henley said the seniors would like to have one. The Mayor will get Ms. Henley the name of the contact at Gateway, and she can set it up.

She wanted to thank the Police Chief, and Deputy Chief for bringing a from the Attorney General's Office to the Senior Meeting to explain identity fraud.

The odor at the Kurtz commercial property is horrible. The Mayor stated that he talked to him this morning.

She asked Mr. Greenberg if we could poll Council members on an issue, such as the SAFER Grant. The Mayor stated that Council has no choice with the SAFER Grant, it is contractual. Once the MOU expires, the composition of the Fire Department is 12 + 2.

There was a discussion concerning the vacation time payout of the firemen that will be moving from full time to part time status.

MS. BIRO:

Ms. Biro spoke to Norm Casini this morning, he assisted me on a property on E. 49th street about maintaining the grass and weed maintenance. She would like the Mayor to put it in the next newsletter to let all residents know to maintain their grass, and if the Village has to do it, there will be a cost to them, both residential and commercial.

MR. CONTIPELLI:

Part of the watershed action plan includes a public comment part. He has asked them to send out a flyer with a phone number to call if any resident has any questions. He will call Wendy Heinzman to get it in the newsletter.

Because of what we have done at Bacci Park and trail, the Village has been nominated for an award at the Greater Cleveland Trails and Greenway Conference, and Mr. Contipelli expects to win this award.

If anyone has anything for the Workshop, please let him know.

The Mayors Breakfast turned out great. It was a great networking event. Mittal Steel informed us that they are looking to hire employees. So if you know anyone who is graduating and looking for a job, Alcoa and Mittal Steel will take them and train them. They have to do some work to get the jobs, they are not going to be handed to them. There are jobs out there, they just have to go out and find them.

Mr. Contipelli discussed HB310 that is currently moving through the Senate and House concerning energy credits, and he thinks it will hurt businesses and feels the Governor needs to veto this bill.

MS. DUSZYNSKI:

On May 29, the Finance Committee approved a PO for Speed Signs for the island on E. 71st at a cost of \$7,694.00 and also a PO for OP Aquatics in the amount of \$8,717.00 for pool chairs.

She stated that Howard Combs Jr. and his mother did a great job with the volunteers at the Easter Egg Hunt. They are all young kids from the school, and they do a great job.

She agreed with Ms. Biro that the Mayor should put something in the newsletter concerning people keeping their lawns cared for because she has had issues with people on Willowbrook also.

POLICE CHIEF STURGILL:

Congratulated Patrolman Kaliszewski, he was given the Juvenile of the Year Award by the Ohio Police Officers Association on May 1st. This is a state wide award, and we are very proud of his accomplishment.

HEAD DISPATCHER CASH:

Our 911 phones are down, but she just got a text from Dispatcher Schoeffler that they are back up after 15 minutes, and we will be getting a charge from AT&T for the service.

Mr. Contipelli asked where the calls go when they go down. Ms. Cash stated that the calls go to Independence when our phones are down.

SERVICE DIRECTOR SCOTT WALDEMARSON:

The Service Department finally got their new truck. They are trying to get the Village ready for Memorial Day. We also have some of the pool kids working on getting it ready to open. They are doing some chores in the pool area for us.

FIRE CHIEF CASH:

Nothing at this time.

LAW DIRECTOR JON GREENBERG:

Nothing at this time.

CLERK UNGER:

Nothing at this time.

ADMINISTRATIVE ASSISTANT TO THE MAYOR LEE ANN SCHOEFFLER:

Nothing at this time.

ASSISTANT TO THE TOWN HALL, ANGEL MERIWETHER:

Ms. Duszynski asked Angel to make sure there is something in the newsletter concerning the Flower Fund. She assured her that she will make sure it is in there.

VILLAGE ENGINEER TODD SCIANO:

On E. 71st Street they are starting pour the cement for the crosswalks and we asked them to accommodate us with Memorial Day, and help clean the area up. There was more conversation concerning the crosswalk locations and the safety factor. Mr. Sciano explained that the earlier crosswalks were not legal, and now they are in the proper place.

Mr. Contipelli asked who was taking care of the tree lawns that were damaged by the work done on E. 71st Street. Mr. Sciano explained that Vondra Construction is doing that work.

Bacci Park utilities project is going well. It should be up and running in 6 weeks.

On May 19th, Service Director Scott Waldemarson and himself will be getting audited by the EPA.

VILLAGE BUILDING COMMISSIONER NORM CASINI:

The Fire Department projects are substantially completed and in use by the department. There are still some punchlist items to be corrected, but overall a good job.

The Firefighters Credit Union will be moving in within 30-40 days. Also Expert Crane will be moving in personnel very shortly. General Electric will also be bringing in another twenty workers into our Village.

The maintenance program is ongoing. He will be working on the residential portion within the next 30 days.

The Mayor questioned kids running on the roof at the new concession stand at Bacci Park, and he would like Mr. Casini to draw something up to solve this issue. He will come up with something.

WHEREFORE, there is no further business before this Council, Ms. Duszynski moved, seconded by Mr. Contipelli that the Council Meeting be adjourned at 7:55 PM. All voting aye, none opposed: motion carried.