

**VILLAGE OF CUYAHOGA HEIGHTS  
SPECIAL COUNCIL MEETING  
MAY 19, 2014  
4:00 PM**

**COUNCIL MEETING**

**MAY 19, 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, Todd Bloam, Renato Contipelli, Marilyn Duszynski, Cheryl Harris, Lois Henley. Also present was Law Director Jon Greenberg.

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

**LEGISLATION:**

**SECOND READING**

<b>RESOLUTION NO. 2014-60</b>	Payment of Certain Claims: Payroll General Bills (#46323 - #46443)	\$1,354,407.14
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Ms. Duszynski moved, seconded by Ms. Henley that the rules be suspended and the Resolution be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Harris, Henley voting aye for suspension of the rules. Bloam, Contipelli, Duszynski, Harris, Henley voting aye for the adoption, Biro no, motion carried.

**SECOND 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 why we are only paying down 200 thousand on the note when the last couple of years we payed it down by 500 thousand dollars. The Mayor stated that the budget does not allow us to pay more than 200 thousand dollars this year.

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

**SECOND 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

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

**SECOND READING**

**RESOLUTION NO. 2014-63**

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

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

**SECOND 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. 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, Harris, Henley voting aye for suspension of the rules, motion carried. Biro, Bloam, Contipelli, Duszynski, Harris, Henley voting aye for the adoption, motion carried.

**SECOND 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

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

**SECOND READING**

**RESOLUTION NO. 2014-66**

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

Mr. Greenberg explained that there has been an interest by another community in the vehicle, and there might be a more expedient way to dispose of the vehicle, so he is asking Council to keep it on second reading until he can get more information and report it at the Workshop.

The Mayor explained that it is the City of Garfield Heights that is interested in it, and they are currently struggling financially and we might be best served to donate it to the community. He is asking Council to remove the Resolution altogether. The trucks value is less than ten thousand dollars.

Mr. Contipelli made the motion to table the Resolution. Ms. Biro would like to keep this on Second Reading. The Mayor asked Council to pull this Resolution, Council agreed.

**SECOND 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**

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

**SECOND 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 71<sup>ST</sup> STREET AND AUTHORIZING THE MAYOR TO APPLY FOR THE GRANT; AND DECLARING AN EMERGENCY

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

**SECOND READING**

**RESOLUTION NO. 2014-69**

A RESOLUTION ACCEPTING THE PROPOSAL OF NTH CONSULTANTS, LTD. FOR A SLOPE FAILURE EVALUATION OF CERTAIN AREAS ON EAST 49<sup>TH</sup> STREET IN THE VILLAGE

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

**SECOND READING**

**ORDINANCE NO. 2014-70**

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

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

There was a discussion concerning pigs as animals. The Mayor explained that there is a difference between raising an animal for food, and raising one as a pet.

**SECOND 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

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

**SECOND 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

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

Ms. Duszynski asked the Mayor to explain the use of the pavilions. The Mayor stated that there is a two use limit for the pavilions. He will not let anyone lock them down for the whole season. Mr. Bloam asked if there will be a sign put up in the area. The Mayor stated yes there will be signs.

## SECOND 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

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

WHEREFORE, there is no further business before this Council, Ms. Henley moved, seconded by Mr. Contipelli that the Council Meeting be adjourned at 4:45 PM. All voting aye, none opposed: motion carried.