

VILLAGE OF CUYAHOGA HEIGHTS
CAUCUS
MINUTES
APRIL 8, 2015
6:00 PM

COUNCIL CAUCUS

APRIL 8, 2015

Mr. Contipelli called the meeting to order. Ms. Meriwether called the roll. Those present were, Mayor Bacci, Jon Greenberg, Barbara Biro, Todd Bloam, Renato Contipelli, Marilyn Duszynski, Cheryl Harris. Also in attendance are Building Commissioner Norm Casini, and Village Engineer Todd Sciano.

Motion to excuse Ms. Henley from the Council Meeting.

Ms. Duszynski will make the motion, seconded by Ms. Biro.

Motion to excuse Clerk Unger from the Council Meeting.

Mr. Contipelli will make the motion, seconded by Ms. Harris.

MINUTES:

March 11, 2015 Caucus
March 11, 2015 Council Meeting
March 25, 2015 Council Workshop

Ms. Biro asked the Clerk to please review the minutes and make corrections. There was format duplication on the Workshop Minutes.

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

COMMUNICATIONS:

None at this time.

PERMITS:

None at this time

Mr. Contipelli asked why we are doing separate legislation for this purchase. Mr. Bloam explained that the company he worked for sold a bearing to the Village for a snow plow, and he cannot vote on this legislation.

ORDINANCE NO. 2015-22

AN ORDINANCE AMENDING SECTIONS 1482.021 AND 1482.022 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CUYAHOGA HEIGHTS BY CHANGING THE MAXIMUM AREA OF SIGNS PERMITTED IN THE VILLAGE

Mr. Contipelli noticed that in the legislation you made the distance for a sign near a road shorter. He asked why we are shortening it from 50 to 10 feet. Mr. Casini explained that pylon signs are currently 10 feet and we are just making the ground signs consistent.

Mr. Contipelli mentioned that in the past if there were special circumstances, they could come to us for a variance. Does this new legislation take that option off the table, and asked Mr. Casini if he thought that was wise? Mr. Casini said he thinks it is good to be consistent.

Ms. Harris asked what the consequence is if someone does not abide by this new legislation. Mr. Casini explained that he has to write it up and they must come to us for a variance. We will also send them a letter letting them know they are not in compliance. Mr. Greenberg also stated that if they don't comply we can write them a citation and they will have to go to Garfield Court. Ms. Duszynski thought that was a good question because we make a lot of Ordinances that we don't enforce. The Mayor wanted it on the record that Ms. Duszynski as the longest consecutive serving Councilperson recognizes that Ordinances should be enforced.

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

RESOLUTION NO. 2015-23

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO RENEW THE VILLAGE'S SERVICE AGREEMENT WITH STEPHEN CAMPBELL & ASSOCIATES, INC. FOR MAINTENANCE SERVICES FOR THE POLICE DISPATCH AUDIO RECORDER

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

ORDINANCE NO. 2015-24

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO
ENTER INTO AN AGREEMENT WITH THE CITY OF NORTH
ROYALTON FOR PRISONER HOUSING SERVICES

The Mayor explained that North Royalton has always been our secondary jail for housing our prisoners, so if Bedford decides to get out of the jail business, we will go to North Royalton.

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

ORDINANCE NO. 2015-25

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CLERK TO ENTER
INTO A CONTRACT WITH THE SECURITY HUT, INC FOR SECURITY SERVICES

Ms. Biro asked if we had to renew this contract on a yearly basis. Mr. Greenberg said that we yes, we will have to renew it on a yearly basis starting in January 2016. The Mayor said that if this program is successful and the residents are happy with it, we will put it in the budget for 2016.

Ms. Biro stated that we will pay a minimum of 4 hours to the officers for show up time if there is a cancellation. Ms. Biro asked who the person that does the cancelling is. The Mayor stated that it will be the Police Chief, and he is well aware of his responsibilities. Ms. Biro just wanted to make sure that whoever was going to administer this provision was aware of his duties.

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

ORDINANCE NO. 2015-26

AN ORDINANCE AUTHORIZING THE CLERK TO PURCHASE A REPLACEMENT POOL
LINER FROM THE RENOSYS CORPORATION FOR USE
AT THE VILLAGE SWIMMING POOL.

Ms. Biro asked when the job completion date is. The Mayor explained that by signing the letter of intent to do the job, the company has guaranteed that it will be finished before the pool opening date. At this time, he does not have a firm date, but it will be before the pool opening.

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

ORDINANCE NO. 2015-27

AN ORDINANCE CREATING A NEW SECTION 1444.07 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CUYAHOGA HEIGHTS TO ESTABLISH PENALTIES FOR FAILURES TO COMPLY WITH CHAPTER 1444 OF THE VILLAGE CODE.

Mr. Contipelli stated that this Ordinance has to do with Point of Sale regulations. Mr. Greenberg explained that we included an enforcement provision in the Point of Sale inspection if you don't do it. It was not previously in the legislation, now it is. It makes it a first degree misdemeanor and gives us teeth to prosecute the offenders. This is not being punitive to anyone; it just gives us the ability to prosecute anyone that does not abide by the law. If they don't abide by the Ordinance, then it goes to a judge and he can set jail time and a fine.

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

RESOLUTION NO. 2015-28

A RESOLUTION CONCURRING IN THE APPOINTMENT LOIS HENLEY AND MARILYN DUSZYNSKI TO THE CUYAHOGA COUNTY TAX INCENTIVE REVIEW COUNCIL

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

RESOLUTION NO. 2015-29

A RESOLUTION AUTHORIZING THE TRANSFER OF MONIES TO THE CUYAHOGA HEIGHTS COMMUNITY IMPROVEMENT CORPORATION

Ms. Duszynski asked why we didn't transfer the \$700,000.00 that Council agreed to at the last meeting. The Mayor stated that the original ceiling on the purchase price has been lowered.

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

OTHER BUSINESS:

MAYOR AND COUNCIL REPORTS:

The Mayor stated that he has nothing for open discussion at this time, but he has a couple things for Executive Session pertaining to real estate matters and pending litigation, and also one that involves an employment matter.

Mr. Contipelli made the motion to go into Executive Session for real estate litigation, and employment matters. Ms. Duszynski seconded the motion. All in favor, none opposed. Motion carried.

Mr. Contipelli made the motion to leave Executive Session, seconded by Ms. Harris. All in favor, none opposed. Motion carried. We are now back in Caucus.

Mr. Greenberg explained that at the end of the Regular Council Meeting we need to go into the CIC and vote on authorizing the purchase agreement for the Hillside property. Also at the end of the meeting I am going to ask someone to make a motion tentative to the agreement with Spadichi Inc. pursuant to what we discussed earlier concerning the property purchase.

Caucus ended at 6:55 pm.

VILLAGE OF CUYAHOGA HEIGHTS
COUNCIL MEETING
MINUTES
APRIL 8, 2015
7:00 PM

COUNCIL MEETING

APRIL 8, 2015

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. 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, Assistant to the Town Hall Angel Meriwether, Assistant to the Building Commissioner Ken LaBella, and Engineer Todd Sciano.

Mayor Bacci asked for a moment of silence for our good friend David Suhy.

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

Motion to excuse Clerk Unger and Ms. Henley from the Council Meeting.

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

MINUTES:

March 11, 2015 Caucus
March 11, 2015 Council Meeting
March 25, 2015 Council Workshop

Ms. Harris made the motion to accept the minutes as amended and place them on file, seconded by Mr. Bloam. Biro, Bloam, Contipelli, Duszynski, Harris in favor, motion carried.

COMMUNICATIONS:

None at this time.

PERMITS:

None at this time

PURCHASES:

None at this time.

FINANCIAL REPORTS:

R.I.T.A Preliminary report April 2015

Mr. Contipelli made the motion to accept the report as prepared, seconded by Ms. Duszynski. All in favor, none opposed, motion carried.

LEGISLATION:

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

Ms. Bloam made the motion to group the pay resolutions for reading and adoption, seconded by Mr. Contipelli. All in favor, none opposed. Motion carried.

RESOLUTION NO. 2015-20 Payment of Certain Claims:
\$679,767.08

Payroll
General Bills
(#47706 - #47814)

Ms. Duszynski moved, seconded by Ms. Harris that the rules be suspended and the Resolution be placed on third and final reading. Biro, Bloam, Contipelli, Duszynski, Harris voting aye for suspension of the rules. Bloam, Contipelli, Duszynski, Harris voting aye for the adoption, Biro no, motion carried.

RESOLUTION NO. 2015-21 C.J. Edwards
\$134.92 (#47714)

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

ORDINANCE NO. 2015-22

AN ORDINANCE AMENDING SECTIONS 1482.021 AND 1482.022 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CUYAHOGA HEIGHTS BY CHANGING THE MAXIMUM AREA OF SIGNS PERMITTED IN THE VILLAGE

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, Harris voting aye for suspension of the rules. Biro, Bloam, Duszynski, Harris voting aye for the adoption, Contipelli no, motion carried.

RESOLUTION NO. 2015-23

A RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK TO RENEW THE VILLAGE'S SERVICE AGREEMENT WITH STEPHEN CAMPBELL & ASSOCIATES, INC. FOR MAINTENANCE SERVICES FOR THE POLICE DISPATCH AUDIO RECORDER

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

ORDINANCE NO. 2015-24

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH THE CITY OF NORTH ROYALTON FOR PRISONER HOUSING SERVICES

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

ORDINANCE NO. 2015-25

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A CONTRACT WITH THE SECURITY HUT, INC FOR SECURITY SERVICES

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

ORDINANCE NO. 2015-26

AN ORDINANCE AUTHORIZING THE CLERK TO PURCHASE A REPLACEMENT POOL LINER FROM THE RENOSYS CORPORATION FOR USE AT THE VILLAGE SWIMMING POOL.

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

ORDINANCE NO. 2015-27

AN ORDINANCE CREATING A NEW SECTION 1444.07 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CUYAHOGA HEIGHTS TO ESTABLISH PENALTIES FOR FAILURES TO COMPLY WITH CHAPTER 1444 OF THE VILLAGE CODE.

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

RESOLUTION NO. 2015-28

A RESOLUTION CONCURRING IN THE APPOINTMENT LOIS HENLEY AND MARILYN DUSZYNSKI TO THE CUYAHOGA COUNTY TAX INCENTIVE REVIEW COUNCIL

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

RESOLUTION NO. 2015-29

A RESOLUTION AUTHORIZING THE
TRANSFER OF MONIES TO THE CUYAHOGA HEIGHTS
COMMUNITY IMPROVEMENT CORPORATION

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

ORDINANCE NO: 2015-30

AN ORDINANCE AMENDING THE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF CUYAHOGA HEIGHTS, STATE OF OHIO, DURING THE PERIOD ENDING DECEMBER 31, 2015.

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

OTHER BUSINESS:

Motion to enter into a purchase agreement with Spadichi Inc. in Cuyahoga County, case number 796188.

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

Mr. Contipelli made a motion to go into the CIC. All in favor, none opposed. Motion carried.

Mr. Bacci made the motion to go out of the CIC and into the regular business meeting.
All in favor, none opposed. Motion carried.

MAYOR AND COUNCIL REPORTS:

MAYOR BACCI:

As he mentioned earlier, we lost a good friend in David Suhy. It was incredible how the speakers at his funeral articulated in words what his life was all about. It is truly something that all of us should take to heart how life is so very short, and how David lived his life, always being positive no matter what he was going through. Mr. Sciano was a good friend of his, and he said he was a great guy.

On a positive note we have Mr. Sciano's new baby Carlos Thomas Sciano is home and doing well. This is very good news.

Please keep Irma Schab in your thoughts and prayers; she had major surgery 10 days ago. She is currently in rehab, and will be home Monday.

We had our annual business networking brunch on March 27th with a great turnout of 60+ people. The Mayor thanked the elected officials that came, and Lee Ann, Angel, and the rest of the staff for making this a great success. We look forward to seeing these folks for the luncheon in the fall.

The Easter Egg Hunt was last Saturday. It was a little chilly, but the sun was out and everyone had a great time. His daughter, Ms. Lily is not quite as competitive as he is; she ended up pointing to the eggs she wanted to get instead of scooping them up! He thanked all of the kids and residents that participated and volunteered for this event.

Arbor Day will be held April 24th at Bacci Park at 6:30pm. Six trees will be planted this year from the following families. Mrs. Patricia Smosarski, Mrs. Helen Leciejewski, Mr. and Mrs. Jim Nobili, and my mom, Mrs. Lillian Bacci. I hope everyone is able to join us for that evening.

Our swimming pool will open on Saturday June 6th at 1:00pm. We are welcoming back Tracy Murphy as our pool manager. In her absence we have Kelley Hartman and Nichole Whedon as assistant managers. It is shaping up to be another fun and exciting pool year!

April birthday wishes to Kenny Schoeffler on April 1st, Scotty Waldemarson on April 7th, Joanne Socauski on April 13th, and Bryon Borowy on April 30th.

MS. BIRO:

Ms. Biro asked Chief Sturgill if there was any progress in fixing the street lights on E. 49th Street. He stated that they are working with First Energy to get them fixed, but last he heard they had to order parts for the lights out on E. 49th Street. He will follow up with the problem. Ms. Duszynski said she will call her gal at First Energy to look into the problem.

Ms. Biro asked about the Viastat Building on E.49th Street. She saw it was for sale, and was wondering if they were moving out of the Village. The Mayor stated that the realtor was asked what was going on, and he said the office space was becoming available, but would not elaborate. The Mayor doesn't know if they downsized or are moving out, but he will keep up on the issue.

MR. BLOAM:

Nothing at this time.

MR. CONTIPELLI:

Mr. Contipelli asked if we were going to put the caps back on the posts at the pavilion at Bacci Park. Mr. Waldemarson said they continue to get vandalized, and they are \$50.00 dollars apiece. He said he will look into some type of wooden caps for the poles.

He told the Mayor the brunch was very nice and talked to a friend of his that is the new President of the Cleveland Chapter of the BBB, and she would like to be a speaker at his next doing. The Mayor thought that is fantastic idea, and she will be welcomed to come and speak at our fall outing.

As the school liaison, he attended a meeting at CVCC concerning the communities and businesses in the district. They are trying very hard to work with the local businesses to get programs in place to move the students into jobs. He also talked to the new superintendant at the High School, and he feels that finances are becoming very stable at this time, and he said they probably won't need a levy until 2020.

He also welcomed Mr. Ken LaBella to the meeting. Mr. LaBella is the new Assistant to the Building Commissioner.

MS. DUSZYNSKI:

The Easter Egg Hunt was very nice. Ms. Duszynski asked how the concession stand was coming at Bacci Park. The Mayor stated that it is going very well. The girls are going to open for a couple of baseball games before the season opens. We want to get the bugs out before we open it for the season, and he will let Council know when it opens. Ms. Duszynski is very excited about it opening.

MS. HARRIS:

Ms. Harris noticed that we had the ad in the paper for the pending Finance position at the Town Hall. She was wondering how it was going. Ms. Meriwether said that she received 16 resumes, 5 of which are qualified. The deadline is next week, and she will start scheduling interviews after that. It was in the Plain Dealer, we are also putting it in the Sun News, Neighborhood News, and the Village Newsletter twice. Ms. Duszynski asked if there were any residents that applied. Ms. Meriwether stated that no residents that submitted resumes met the qualifications.

FIRE CHIEF CASH:

Chief Cash stated that he gave the Mayor a formal letter of resignation. He will be retiring at the end of June. The Mayor said it was very well written and sheds a positive light on his career, his experiences, and what the job has done for

him. It focused on the positive experiences he has had for the last 37 years or so. We will all miss you.

HEAD DISPATCHER CASH:

Nothing at this time.

SERVICE DIRECTOR SCOTT WALDEMARSON:

Nothing at this time.

CHIEF STURGILL:

Deputy Chief Davis will be in charge next week. I will be attending a PELC class in Columbus for the week. PELK stands for Police Executive Leadership College. He will also be attending a meeting tomorrow with other community Chiefs regarding the Republican National Convention that is coming to Cleveland next year.

LAW DIRECTOR JON GREENBERG:

Nothing at this time.

ADMINISTRATIVE ASSISTANT TO THE MAYOR LEE ANN SCHOEFFLER:

Nothing at this time.

ASSISTANT TO THE TOWN HALL, ANGEL MERIWETHER:

Thank you for all your patience this evening.

ENGINEER TODD SCIANO:

Public Works has been working hard to scale down the projects that have to get done this year. We are down to five projects that need immediate attention. Next month you will see orders for Canal Road repairs and Bacci Park repairs, parking lot expansion at the Police Station, and some other projects that are being discussed.

The Mayor asked about the water main project on E. 71st Street. Mr. Sciano explained that in talking to the Water Department they don't know if the water

pipe break will go into the crosswalk, but if they have to tear it up, his recommendation is to negotiate with the Water Department to use the company we had put it in, repair it. The Mayor stated that if they are going to have to go further than what was originally planned, they need to contact you first. This must be gin clear to them.

Also, please advise the residents by elaborating on the amount of research and effort you put in before E.71st was paved, to make sure there was no impending work by the utilities that the road would not be disturbed after it was paved.

Mr. Sciano explained that this goes back three years ago when we started talking about it. At that time, none of the utility companies had anything planned. Up until the time we did the work, none of the utilities had any impending work on the street. After we paved E. 71st, all of a sudden they are scheduling work for the fall. We did all of our due diligence to make sure this would not happen, and it did. It is unbelievable, we did everything we could to prevent this from happening.

The utility companies are extremely hard to work with. When they tear open a road, the work performed to fix it is never as good as when we do it, and we have no control over them. They use contractors that are subpar to what the contractors we use, and they do a bad job in fixing the street that they tore up. Their fix is sloppy and subpar, and then we have to go in and fix it again to do it properly.

Ms. Duszynski asked if the Mayor has anyone at the Water Department that he could talk to. The Mayor explained that he could talk to them about certain situations, but the contractors they hire are under contract, and they are not paid what we would pay a good contractor, so they do subpar work.

ASSISTANT TO THE BUILDING COMMISSIONER KEN LABELLA:

The Mayor welcomed Mr. LaBella to the Council Meetings. Mr. labella said that they are going to start the residential inspections in the month of May, and notification was put out the residents in the newsletter. They will be wearing their yellow safety vests so there are very noticeable.

COMMENTS FROM THE AUDIENCE:

No comments from the audience.

WHEREFORE, there is no further business before this Council, Ms. Duszynski moved, seconded by Mr. Contipelli that the Council Meeting be adjourned at 7:45 p.m. All voting aye, none opposed: motion carried.