

**MINUTES  
VILLAGE OF CUYAHOGA HEIGHTS  
SPECIAL COUNCIL MEETING  
OCTOBER 29, 2015  
4:00 PM**

**SPECIAL COUNCIL MEETING OCTOBER 29, 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, Lois Henley. Also present was Law Director Jon Greenberg.

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

**LEGISLATION:**

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

Mr. 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. 2015-76                      SECOND READING**

Payment of Certain Claims:	\$849,490.41
Payroll	
General Bills	
(#48476 - #48622)	

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

**RESOLUTION NO. 2015-77      SECOND READING**

**A MEMORIAL RESOLUTION FOR ELISA VENCHI**

Mr. Contipelli moved, seconded by Ms. Duszynski 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.

**RESOLUTION NO. 2015-78      SECOND READING**

**A MEMORIAL RESOLUTION FOR FRANK TRUSSO SR.**

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

**RESOLUTION NO. 2015-79      SECOND READING**

**A RESOLUTION DECLARING THE SERVICE DEPARTMENT'S  
1999 FORD F250, VIN # 1FTNF21L8XED83966, SURPLUS  
PROPERTY AND AUTHORIZING ITS DISPOSAL BY  
SALE AT THE BROOK PARK AUTO AUCTION**

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.

**RESOLUTION NO. 2015-80**

A MEMORIAL RESOLUTION FOR THOMAS J. UNGER

Ms. Biro asked if we pulled the other legislation from the last meeting and made this 2015-80. The Mayor stated that is correct.

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. Biro, Bloam, Contipelli, Duszynski, Harris, Henley voting aye for the adoption, motion carried.

**RESOLUTION NO. 2015-81**

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

Ms. Biro asked if we already did this legislation in August. The Clerk replied no we did not, the County did not send the legislation to us at that time, they are sending them out now. The Mayor stated that all municipalities are hurrying to get these out now because the County didn't send them out. Ms. Biro said not all communities. Mayor Bacci said there were several. Ms. Biro asked the Clerk if we were going to do the legislation for the advances next month, the Clerk replied that we already did the legislation for the advances.

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.

**RESOLUTION NO. 2015-82**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT TO AMENDED AND RESTATED OHIO ENTERPRISE ZONE AGREEMENT WITH CHARTER MANUFACTURING COMPANY AND THE COUNTY EXECUTIVE OF CUYAHOGA COUNTY, OHIO

Ms. Biro asked what we did with the old legislation of the same number. Mr. Greenberg explained that it was one from the Building department that we pulled, and this took its number.

Mr. Greenberg explained that we will have two pieces of legislation for Charter Steel, one with the school, and this one with the County Commissioner.

Ms. Henley moved, seconded by Ms. Duszynski 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.

The Mayor stated that just for the record, the discussion occurs after the motion has been made. So if there is any discussion, I will take your motions first, and after we will have discussion before the Clerk calls the roll.

### **ORDINANCE NO. 2015-83**

#### **AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF NEWBURGH HEIGHTS, OHIO FOR THE PROVISION OF ROCK SALT DURING THE 2015-2016 WINTER SEASON, AND DECLARING AN EMERGENCY**

Ms. Biro asked if this was another piece of legislation that replaced an old piece of legislation that was pulled. Mr. Greenberg explained that numerically yes, it replaces a pulled piece of legislation. The Mayor said this is what was talked about at the Workshop. Ms. Biro understood, but she wanted it on the record so when someone looks at the last batch of meetings and this batch of meetings there will be no confusion. Mr. Contipelli explained that before the last meeting, we pulled four pieces of legislation that these pieces of legislation have replaced numerically. Ms. Biro stated that if that point was made at the beginning of the meeting, then she wouldn't have asked for a discussion on this. The Mayor said that Council was made aware last night that those that were pulled at the previous meeting would not be on tonight's agenda. Ms. Biro agreed, but said that this is a working meeting and she would like it reflected in the minutes. The Mayor asked Clerk Unger to make sure this is reflected in the minutes. Clerk Unger said he would.

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

**ORDINANCE NO. 2015-84**

**SECOND READING**

AN ORDINANCE CREATING A NEW CHAPTER 650 OF THE CODIFIED ORDINANCES OF THE VILLAGE TO REGULATE THE USE OF UNMANNED AIRCRAFT SYSTEMS IN THE VILLAGE OF CUYAHOGA HEIGHTS

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. Biro, Bloam, Contipelli, Duszynski, Harris, Henley voting aye for the adoption, motion carried.

**ORDINANCE NO. 2015-85**

**SECOND READING**

AN ORDINANCE  
ADOPTING NEW CHAPTER 883 OF THE CODIFIED ORDINANCES  
OF CUYAHOGA HEIGHTS REGARDING MUNICIPAL INCOME  
TAX

Mr. Greenberg asked the Mayor and Council to place this Ordinance on second reading. The lawyer from Regional Income Tax Agency is still fine tuning this legislation, and they have asked us not to pass it until next month.

**RESOLUTION NO. 2015-86**

**SECOND READING**

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

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. Biro, Bloam, Contipelli, Duszynski, Harris, Henley voting aye for the adoption, motion carried.

**RESOLUTION NO. 2015-87                      SECOND READING**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDED AND RESTATED TAX INCENTIVE DONATION AGREEMENT AND OTHER NECESSARY AGREEMENT(S) TO AUTHORIZE SAID AMENDED AGREEMENT WITH THE BOARD OF EDUCATION OF THE CUYAHOGA HEIGHTS LOCAL SCHOOL DISTRICT, CHARTER MANUFACTURING COMPANY AND CUYAHOGACOUNTY

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

**OTHER BUSINESS:**

Motion to go into the CIC.

Mr. Bloam made the motion, seconded by Ms. Duszynski. Biro Aye, Bloam Aye, Contipelli Present, Duszynski Aye, Harris Aye, Henley Aye, motion carried.

Motion to come out of the CIC and back into the Special Council Meeting.

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

The Mayor thanked all of Council for attending the meeting. We got a lot done that we were not able to do at the last meeting

**MOTION FOR ADJOURNMENT:**

WHEREFORE, there is no further business before this Council, Mr. Contipelli moved, seconded by Ms. Henley that the Special Council Meeting be adjourned at 4:35 p.m. All voting aye, none opposed: motion carried.