

**MINUTES
VILLAGE OF CUYAHOGA HEIGHTS
CAUCUS
MAY 11, 2016
6:00 PM**

COUNCIL CAUCUS

MAY 11, 2016

Ms. Duszynski called the meeting to order. Clerk Unger called the roll. Those present were, Mayor Bacci, Jon Greenberg, Barbara Biro, Todd Bloam, Marilyn Duszynski, Cheryl Harris, Lois Henley, and Matt Schoeffler. Also in attendance were Building Commissioner Norm Casini, Assistant to the Building Commissioner Kenny LaBella, and Village Engineer Todd Sciano.

Ms. Duszynski introduced the BEST Committee to make a presentation concerning the school. James Zwisler presented on behalf of the committee, and explained that this committee has been in existence for five years, serving the needs of the communities, and the students.

Mr. Zwisler spoke about the recent survey that they distributed to all the communities, and with the results, it will help them determine what direction the committee will go in the next five years. Mr. Zwisler went through many of the results and comments that were taken from the completed surveys. He believed that the comments were the best feedback from the survey.

He went over all of the results, and the action items that will be taken to resolve many of the issues. He believes that it was very honest feedback and if anyone wants to see the results, they can go to the school districts website, and hit the BEST Initiative tab, and it will take you to the 2016 results.

The Mayor thanked the committee for the work they have done, he feels the work they have done is outstanding, and thanked them for keeping the communities updated on school issues.

COMMUNICATIONS:

None at this time.

PERMITS:

None at this time

PURCHASES:

None at this time.

MINUTES:

April 13, 2016	Caucus
April 13, 2016	Council Meeting
April 27, 2016	Workshop

Ms. Henley agreed to make the motion to accept the minutes as amended, Ms. Harris agreed to second.

FINANCIAL REPORTS:

Position of Cash Statement April 2016
R.I.T.A Preliminary report May 2016

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

LEGISLATION:

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

Ms. Duszynski agreed to make the motion, seconded by Mr. Bloam.

RESOLUTION NO. 2016-32

Payment of Certain Claims:	\$827,147.60
Payroll	
General Bills	
(#49487 - #49636)	

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

RESOLUTION NO. 2016-33

A MEMORIAL RESOLUTION FOR IRMA SCHAB

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

ORDINANCE NO. 2016-34

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A CONTRACT WITH TENABLE PROTECTIVE SERVICES, INC. FOR SECURITY SERVICES AT BACCI PARK

Mr. Schoeffler mentioned that in the contract, it states that the guards will be unarmed, and was wondering why they wouldn't be armed. The Mayor stated that they will all be police officers, and they will be armed.

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

RESOLUTION NO. 2016-35

A RESOLUTION DECLARING TWO LAWN MOWERS IN THE SERVICE DEPARTMENT SURPLUS PROPERTY AND AUTHORIZING THEIR DISPOSAL BY THE CLERK

Ms. Henley asked how the Service Department will be getting rid of them. The Mayor stated that they will be on a government website for disposal.

Ms. Duszynski asked how old the mowers were. The Mayor stated that they were from the 90s, and they are on their second deck replacements. They have lasted a long time, and it is time to replace them.

The Mayor said that we are keeping things longer than we ever have, but as he has advised Council, we have some big ticket items that will soon need to be replaced.

Ms. Duszynski asked if we were watching our tools at the Service department. The Mayor said that no one uses the tools but the Service Department.

Ms. Duszynski agreed to make the motion, Ms. Harris agreed to second.

RESOLUTION NO. 2016-36

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO NATUREWORKS GRANT PROGRAM, AND DECLARING AN EMERGENCY.

Ms. Biro agreed to make the motion, Mr. Schoeffler agreed to second.

RESOLUTION NO. 2016-37

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM FOR SODIUM CHLORIDE (ROAD SALT) CONTRACT 018-17 FOR THE 2016-2017 WINTER; AND DECLARING AN EMERGENCY

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

RESOLUTION NO. 2016-38

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A LEGAL SERVICES CONTRACT WITH BRICKER & ECKLER, LLP IN CONNECTION WITH THE ISSUANCE OF 2016 GENERAL OBLIGATION NOTES; AND DECLARING AN EMERGENCY

Ms. Duszynski agreed to make the motion, Ms. Harris agreed to second.

ORDINANCE NO. 2016-39

AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$3,785,000 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. Biro asked when we will be going to market to sell the Note, Mr. Unger stated that as of today, we don't have a firm date. Ms. Biro also noticed in the legislation that the Note is estimated to sell at 4.5% and hopes that it will be less than that. Mr. Unger stated that after talking to the broker, they believe it will come in around 1.1% to 1.2%.

Ms. Biro stated to the Mayor that she will give him until 2018 to continue paying \$200,000 a year on the Note, but after that, we have to increase our payments. The Mayor said that at 1%,

what is the point of paying it off. It's almost interest free. Ms. Biro believes the market is going to change, and the interest will be much higher in the future. The Mayor stated that when we see our revenues increase, we can then increase our payment to have borrowing power for the future.

Ms. Duszynski stated that years ago we paid the debt down by \$500,000 per year, and was wondering why we are now paying only \$200,000 a year. The Mayor stated that by paying \$500,000 a year, we would be depleting the General Fund, and why would we pay down the debt when we are paying only 1% on the interest.

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

OTHER BUSINESS:

Executive Session:

Motion to go into Executive Session to consult with legal counsel, members of the administration and senior staff, regarding a personnel matter, as well as subjects related to real estate and pending litigation.

The discussions in Executive Session are permitted as specific exemptions to the Public Meetings Act pursuant to Ohio Revised Code Section 121.22 (g) (3) and I specifically designate all matters discussed in executive session to be protected from public disclosure in accordance with Ohio Revised Code Section 121.22 (g) and the attorney-client privilege.

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

Motion to come out of Executive Session and move back into the regular business meeting.

Mr. Schoeffler agreed to make the motion, Ms. Henley agreed to second.

The Mayor stated that, after we come out of Executive Session, Council will be asked to make two separate motions on the Executive Session topics that are not on the Agenda at this time, because they first need to be discussed.

MAYORS REPORT:

The Mayor wanted everyone to know that we were the recipients of some money for the Nicky Boulevard project. And he wanted Council to know that Mayor Renda of Moreland Hills was instrumental in helping us get this money. The Mayor asked Mr. Sciano to go over how important this piece is to getting this project done.

Mr. Sciano stated that the cost of the total project is 1.8 million dollars. We had to prove that we were shovel ready, and all components were in place. We worked hard to get everything in order, and this is the closest we have ever come to getting the project done. This has been a very complicated process to get all the financing in place, but with this piece, we are on our way. The Mayor compared it to building a car, and this part that we just secured is the engine.

This is going to help the residents on E. 49th that are having erosion issues, it will solve a landfill issue, and ultimately we will have a number of acres of property that will be shovel ready for economic development.

Ms. Henley asked who was currently testing the water from Nicky Boulevard. Mr. Sciano said that it is tested quarterly by the Regional Sewer District. Ms. Henley stated that she asked Regional if they were testing the water, and they said they were not. Mr. Sciano said that you have to self-test for a certain period of time, and after that, it is overseen by Regional Water Districts Industrial Surveillance Department.

The Mayor said that our goal is to have this project up and running by 2017. He asked Council if they would rather hear about this project at a Workshop, or would they rather hear about it from the Economic Development Committee through their recommendations. The Mayor again stated that this could be a great economic development issue and it is very exciting. Council thought a Workshop on this issue is in order.

Caucus ended at 7:55 pm.

**MINUTES
VILLAGE OF CUYAHOGA HEIGHTS
COUNCIL MEETING
MAY 11, 2016
7:00 PM**

COUNCIL MEETING

May 11, 2016

The Mayor introduced “Miss Poppy”, Gabrielle Rose Johnson, representing Newburgh Heights Legion Post 627.

Mayor Bacci called the meeting to order. Clerk Unger called the roll. Those present were, Barb Biro, Todd Bloam, Marilyn Duszynski, Cheryl Harris, Lois Henley, Matt Schoeffler. Also present were Service Director Scott Waldemarson, Police Chief Brian Sturgill, Fire Chief Mike Suhy, Head Dispatcher Barb Cash, Law Director Jon Greenberg, Assistant to the Clerk Angel Meriwether, Assistant to the Building Commissioner Ken LaBella, Building Commissioner Norm Casini, and Engineer Todd Sciano.

COMMUNICATIONS:

None at this time.

PERMITS:

None at this time

PURCHASES:

None at this time.

MINUTES:

April 13, 2016	Caucus
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Ms. Henley made the motion to accept the Minutes as amended and put them on file, seconded by Ms. Harris. All in favor, none opposed. Motion carried.

FINANCIAL REPORTS:

Position of Cash Statement April 2016
R.I.T.A Preliminary report May 2016

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

LEGISLATION:

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

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

RESOLUTION NO. 2016-32

Payment of Certain Claims:	\$827,147.60
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(#49487 - #49636)	

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

RESOLUTION NO. 2016-33

A MEMORIAL RESOLUTION FOR IRMA SCHAB

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

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

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

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

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

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

OTHER BUSINESS:

Executive Session:

Motion to go into Executive Session to consult with legal counsel, members of the administration and senior staff, regarding a personnel matter, as well as subjects related to real estate and pending litigation.

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

Motion to come out of Executive Session and move back into the regular business meeting.

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

In order for the Village to take the next step with respect to the purchase or appropriation of the properties located on East 72nd Place, Council must, by motion, authorize the Mayor to proceed with the purchase of those properties.

Accordingly, Council must entertain the following Motion:

A motion for Council to authorize the Mayor to submit offers to purchase the following properties at their appraised fair market values, and to take any action required by law to effectuate such purchases:

- 1) 4937 East 72nd Place, PPN 522-23-043
- 2) 4945 East 72nd Place, PPN 522-23-028
- 3) East 72nd Place (Rear), PPN 522-23-027
- 4) East 72nd Place (Rear), PPN 522-23-026

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

I need a motion to approve the Mayors acceptance of the Fire Chiefs recommendation to discharge full time employee Jason Grabowski.

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

MAYOR AND COUNCIL REPORTS:

MAYOR BACCI:

The Mayor apologized for the delay of Executive Session, but there were some serious matters to discuss. He will give his discussion points to Clerk Unger to be reflected in the Minutes.

I would like to convey our deepest sympathies to the Schab and Schoeffler families. Mrs. Irma Schab passed away on May 4, 2016.

May birthday wishes to employees: Jon Greenberg & Dave Sammons – May 7; Melissa Mackiewicz – May 22; Kevin Stack – May 26; Brandy Murphy & Cory Pucci – May 28; and Jamie Lukas – May 29.

Milestone birthday wishes to Barb Knapick as she celebrates her 70th birthday on May 18.

Please continue to keep several residents in your thoughts and prayers: Theresa Bentlejewski, Mrs. Ernestine Deliberato, Mrs. Helen Leciejewski, Mrs. Donna Pellini, Mr. Micky Sajetowski, Mr. Frank Schoeffler, and Mrs. Joan Unger.

In closing, I hope to see everyone at our Memorial Day parade and service on May 30th. Step-off time is 10:00 a.m. Please show your support in honoring our Veterans who made the ultimate sacrifice for our country. Thank you.

MS. BIRO:

They had their Economic Development Committee Meeting this evening, combined with the Finance Committee. The Minutes of the March Meeting are on file with the Clerk.

They discussed the NatureWorks Grant that will be used for the trail. We are doing everything we can to get scored the highest from the State in order to get more funding for the project.

We talked about the FEMA Fire Protection Grant for Knox Boxes and Smoke Alarms, and the schedule of awards is June 1st. Also discussed was the Local Government Safety Capital Grant for radios. The awards will be given on May 19th.

Regarding Hillside Party Center, all necessary documents have been submitted to the Cuyahoga County Department of Development, they are conducting the asbestos survey now which will be in the bid package, and Mr. Sciano will then get something to Council by July.

Silverload is working with Police Chief Sturgill to get a grant for an active shooter training program for our businesses.

The Mayor also discussed in Caucus information regarding the Nicky Boulevard project. Ms. Biro would like to see a bullet point spreadsheet to all the residents on E. 49th explaining all the work that we are doing to alleviate the erosion issue. Also not to be forgotten, the residents on E. 71st Street and Willowbrook about their erosion issues. Mayor Bacci said that Todd Sciano is scheduled to walk behind the homes on Willowbrook to assess the erosion problem before the foliage starts on the trees. Also, the Mayor and Mr. Sciano will take care of sending out a bullet point handout to all the residents on E.49th explaining the work we have done to date to try and fix the erosion problem.

MR. BLOAM:

Mr. Bloam called a Public Works Meeting for 5:00 pm on June 8th.

MS. DUSZYNSKI:

The Finance Committee approved a PO in the amount of \$6,000.00 to Georgia State University for continuing education for the Finance Department. We also had a Finance Committee Meeting tonight, and Mr. Unger stated that he closed the month of April, and all figures reconciled. All vouchers were signed by the Finance Committee with no questions.

MS. HARRIS:

Wanted to let everyone know that Monday night there will be a community meeting concerning the School Board, open to anyone that wants to attend. She feels strongly that everyone should be involved. If anyone wants to go to the Cuyahoga Hts. Board of Education website and click on the meeting, they will see how dysfunctional they truly are. Ms. Duszynski said that she attended the community meeting concerning the Board Of Education, and it was standing room only. Ms. Harris feels that the school affects all of our children, and the desirability of our Village, and thinks we should all get involved. She would like to see something in the next newsletter about dates and times for the next community meeting. Mayor Bacci said that he believes that a couple of the members of the School Board are doing things recklessly, and the school being the pillar of our community, they need to be very careful, because it has such a huge impact on our community, and our homeowners.

MS. HENLEY:

Ms. Henley asked Scotty if the workers at the concession stand at Bacci Park had access to a two way radio. She said that they should be able to get ahold of someone in case of emergencies. Scotty and the Mayor assured her that there is a two way radio and a cell phone for them to use, and will make sure everyone knows where they are and how to use them.

Ms. Henley also asked Scotty to check the memorial trees in the park, they are not looking very healthy. He said he would take care of it. Ms. Duszynski also asked the Mayor if there are extenuating circumstances if a walker can ride in the Park Patrol cart. The Mayor stated that if someone is at the park and gets sick, they will notify the Fire Department, but if there is inclement weather and you are walking on the path, the park patrol certainly can help get you to your car.

Ms. Henley also said that at the Seniors Club last night, there was a void without Mrs. Schab. We all missed her. Mayor Bacci said that she had very strong opinions, and she was a lot of fun to be with. We will all miss her.

MR. SCHOEFFLER:

Nothing at this time.

SERVICE DIRECTOR SCOTT WALDEMARSON:

Nothing at this time.

HEAD DISPATCHER CASH:

Nothing at this time.

FIRE CHIEF SUHY:

Nothing at this time.

POLICE CHIEF STURGILL:

Chief Sturgill wanted to recognize Patrolman Frank Trusso of Cuyahoga Heights, Patrolman Coyne of Brooklyn Heights, and Patrolman Krucek of Valley View for their heroic efforts in saving a life of a young woman trying to jump off the 480 bridge. They saved her life.

LAW DIRECTOR JON GREENBERG:

Nothing at this time.

CLERK UNGER:

I miss Irma, she was my friend.

ADMINISTRATIVE ASSISTANT TO THE MAYOR LEE ANN SCHOEFFLER:

Not in attendance.

ASSISSTANT TO THE CLERK, ANGEL MERIWETHER:

Thanked Council for approving her continuing education courses in Finance.

ENGINEER TODD SCIANO:

Signal Service is going to start working on E. 71st Street putting up the light signals on Monday. Our Police Department will be doing traffic control, and they were told to keep it clean and neat. The Mayor said he hopes the emphasis was put on neat and tidy. Mayor Bacci also asked if we have the underground portion in place, we can then eliminate the markers before Memorial Day. Mr. Sciano said he would talk to them.

BUILDING COMMISIONER NORM CASINI:

The Heat Seal building is coming along nicely and should be ready to occupy the old Gallo Building in June. Charter Steel completed their new building under their permit that was issued 6 months ago. We also expect another three local businesses to come in with plans to get permits for new structures.

Ms. Biro asked Mr. Casini if he could send out letters to the businesses concerning the dandelion problem in their yards.

ASSISTANT TO THE BUILDING COMMISIONER KENNY LABELLA:

We have received 53 out of 53 rental applications. We started demolition of 4579 E. 71st Street. We are also revisiting residential inspection letters from 2015.

COMMENTS FROM THE AUDIENCE:

None.

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WHEREFORE, there is no further business before this Council, Ms. Henley moved, seconded by Ms. Harris that the Council Meeting be adjourned at 9:19 p.m. All voting aye, none opposed: motion carried.