

REGULAR COUNCIL MEETING and PUBLIC HEARING
October 19, 2016
MINUTES

The Council Public Hearing of the Village of Moreland Hills was called to order by Mayor Renda at 7:00pm, in the Village Council Chambers.

PRESENT AT ROLL CALL: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

Also Present: Aimee Lane, Law Director, Chief Kevin Wyant, Prashant Shah, Treasurer, Sherri Arrietta, Clerk of Council, Chuck Keiper, NOPEC Executive Director, Nicole Sweet, NOPEC Relationship Manager, Mr. Jerry Severin, Resident, Mr. Larry Bloch, Resident/Developer

Mr. Richman made a motion seconded by Ms. Sturgis to approve the minutes of the Regular Council Meeting of September 14, 2016.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mayor Renda informed Council that the Village received a grant from NOPEC several year ago; Greg Potts was the head of it and worked hard on it, and recently, Marcia Bossart, Assistant to the Treasurer, discovered that there was outstanding money that was not used. Mayor Renda stated that with Mr. Potts starting it, and with Mrs. Bossart's help, the Village was able close out the account.

At this time, Mr. Chuck Keiper, NOPEC Executive Director and Ms. Nicole Sweet, NOPEC Relationship Manager, presented the Village with a \$50,000 grant as part of the NOPEC "Powering Our Communities Energy Grant Program." This grant helped the Village to enhance the municipal buildings by making them more energy efficient.

Public Hearing

Mayor Renda declared the Public Hearing open at 7:11pm.

Mayor Renda stated that the ordinance being heard tonight is as follows:

Ordinance 2016-40- An ordinance amending the official zoning map of the village of Moreland Hills to change the zoning classification of parcel 912-10-011 on Chagrin Blvd. from U-2 Retail Business District to U-1 Dwelling House District.

At this time, Mrs. Lane swore in Mr. Jerry Severin.

Mr. Severin explained that the reason for the request for the zoning classification change is because his son wants to build a house on this parcel. He stated that he was originally going to put a commercial building there but could never come to terms with Mr. Iofredo, owner of the property next to his, therefore he would rather the property stay green and have a nice house on it for his son to live in.

Mayor Renda asked if there was anyone else wishing to speak regarding these ordinances; there being no one else, Mayor Renda declared the public hearing closed at 7:13pm.

Ordinance 2016-40 (Third Reading)– Introduced by Mr. Stanard

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF MORELAND HILLS TO CHANGE THE ZONING CLASSIFICATION OF PARCEL 912-10-011 ON CHAGRIN BLVD. FROM U-2 RETAIL BUSINESS DISTRICT TO U-1 DWELLING HOUSE DISTRICT.

Mr. Stanard stated that this ordinance has been before Council twice before as well as before the Planning Commission, which also included a public hearing.

Mr. Stanard made a motion seconded by Mr. Richman to place Ordinance 2016-40 on third reading and for passage of Ordinance 2016-40.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Reports from the Mayor and Other Municipal Officials

Mayor

Mayor Renda did not have a report.

Law

Mrs. Lane updated Council on the remaining retainer hours. She stated that through the end of September, 395.8 hours have been used, which leave 104.2 left for the year. Mrs. Lane stated that she believes that we will be close to staying within the 500 retainer hours for the year. She stated that we experience a greater amount of legal work at the beginning of the year, but it has since slowed down. Mr. Fritz asked what would be considered a billable hour. Mrs. Lane stated that items taken outside of the retainer would be a special matter that would require a significant amount of time.

Police

Chief Wyant did not have a report.

Finance

Mr. Shah did not have a report.

Service

Mr. DeWater did not have a report.

REPORTS OF COMMITTEES

BZA

Mr. Stanard reported that the BZA met on September 26, 2016. There was only one item, the Taylor residence at 279 Bentleyville Road, requesting an area variance for a detached garage. The lot is a difficult one because it is sloped in a couple of different directions. Even though the garage will be put in the same place as the old one, because they were removing the foundation they needed to get the new work to conform, which required a 6.3 ft. variance. After a robust discussion, the variance was granted. The next meeting will be on October 24, 2016.

Planning Commission

Mr. Stanard stated that the Planning Commission met on September 26, 2016, immediately following the BZA meeting. The Taylor residence was on the agenda for the garage itself and because a portion of the new work marginally encroached onto one of the slopes in the protected hillside zone. They were both ultimately approved. The Regan Residence at 80 Sterncrest was on the agenda for a new deck which was approved. The Deutsch Residence at 32570 Hiram Trail was proposing a new solarium patio addition, which was approved. The Fruscella Residence at 15 Fairway Trail was proposing to build an attached garage which the board approved, as well. The Chagrin Bluffs Subdivision final plat was approved, which is on the Council agenda tonight. There were also two (2) new homes (making it a total of three homes so far) proposed at that subdivision that generated a lengthy discussion because although they are both beautiful homes, they were very different architecturally. The Commission had some debate and discussion about what their interest and limits should be in terms of discussing the architectural styles. It was ultimately concluded that none of three (3) houses were so similar, or large, or so much on top of the other that it would be problematic. Both new homes were approved; Tallisman residence at 15 Addison Lane (S/L 1) and Hedaya Residence at 10 Addison Lane (S/L 8). The next meeting will be on October 24, 2016.

Roads & Safety Committee

Ms. Sturgis reported that the Roads & Safety Committee met on September 28, 2016. The few items discussed are on the agenda tonight. She stated that the Service Department is prepared for the winter season; the equipment is ready to go. The Village had another successful Greening the Hills event at the beginning of October. The next meeting is scheduled for October 26, 2016.

Facilities Committee

Mr. Buczek stated that the Facilities Committee met on September 28, 2016. He stated that Mr. Filarski presented an extensive cost analysis for various scenarios for the failing septic systems in the WEB area. They were just preliminary and there is more work to be done on it. Mr. Filarski also discussed applying for grants to help offset the cost. Katie Martin informed them that the James A. Garfield National Site in Mentor is restarting the Garfield Memorial Hike which is on November 19th and will begin in the Village and end at Lakeview Cemetery. The next meeting is scheduled for October 26, 2016.

APPROVAL OF BONDS, CONTRACTS, PLATS, ETC.

Resolution 2016-47 – Introduced by Mayor Renda

A RESOLUTION ACCEPTING DEDICATION OF THE PUBLIC STREETS WITHIN THE CHAGRIN BLUFFS SUBDIVISION AND DECLARING AN EMERGENCY.

Mayor Renda stated that Village ordinances specify that this must be approved by both committees and the Planning Commission before coming before Council; all those bodies approved it at their September meetings. Council, now must take the final step and grant approval. Mr. Larry Bloch thanked the Village and stated that this was a wonderful process to go through. Mayor Renda informed him that the mylar will be signed and ready to be picked up tomorrow.

Mr. Richman asked if it was decided if there was a need for more than a nominal fee with the title insurance policy versus the value of the street itself. Mrs. Lane stated that with title insurance policy we got a title exam and she stated that she was able to review items on Schedule B, and the only issue was a blanket easement, which is actually being revoked on this plat. She stated that it was going to be inherent of being able to take clear title, so there is just a nominal amount being set forth.

Mayor Renda made a motion seconded by Ms. Sturgis to suspend the rules for Resolution 2016-47.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mayor Renda made a motion seconded by Ms. Sturgis for passage of Resolution 2016-47.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

ORDINANCES AND RESOLUTIONS

Ordinance 2016-43 - Introduced by Ms. Sturgis

AN ORDINANCE AUTHORIZING CHANGE ORDER NOS. 1 AND 2 WITH LONGO SEWER CONSTRUCTION CO., INC. FOR THE 2016 DRAINAGE AND CULVERT PROGRAM AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that this program has ended. The first change is in the increase amount of \$1500 because of a loss of time for the contractor and the second change order is for the decrease amount of \$6,375.75 as a result of contract reconciliation due to the project being completed.

Ms. Sturgis made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2016-43.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Richman for passage of Ordinance 2016-43. Mr. Stanard pointed out that on the documentation provided by Mr. Filarski, Change Order No. 1, for the \$1500 increase was identified as a decrease. Mayor Renda stated that we will have Mr. Filarski provide us with a corrected document for record keeping purposes. Mr. Stanard also wanted to point out that the decrease amount in Change Order No. 2 was a result of decrease in the number of inspections, which was overseen by Mr. Filarski, so that is a good thing that he makes sure they are doing the right amount of testing, without going over the necessary amount.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2016-48– Introduced by Mr. Buczek

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION FOR A POTENTIAL GRANT FOR THE FUNDING OF CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE VILLAGE OF MORELAND HILLS AND DECLARING AN EMERGENCY.

Mr. Buczek stated that Mr. Filarski is putting together an application to the Ohio Public Works Commission for funding for the WEB area, to help defray some of the costs to remedy the failing septic systems.

Mr. Buczek made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2016-48.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Mr. Richman for passage of Ordinance 2016-48. Mr. Buczek stated he believes that Mr. Filarski is also submitting another application for funding.

Mayor Renda stated that he is and that one will go to DOPWIC and he is submitting another one to the Northeast Ohio Regional Sewer District. This is a new program just starting this year.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2016-49– Introduced by Ms. Sturgis

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH VANCUREN SERVICES, INC. FOR THE 2016 HAZARDOUS TREE REMOVAL PROGRAM AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that the program was put out to bid and only one bid was received in the amount of \$29,780.00. This year's program requires that residents to have the stumps removed at their cost.

Ms. Sturgis made a motion seconded by Mr. Fritz to suspend the rules for Ordinance 2016-49.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Buczek for passage of Ordinance 2016-49. Mr. Stanard asked why we only received one bid for this project. Mr. DeWater stated that VanCuren has purchased a lot of tree companies in the area and so some of the other contractors have lost the last several bids to them and therefore, probably decided not to bid. He stated that his estimate for the job was \$40,000 so VanCuren's bid is a good one. Mayor Renda pointed out that two years ago when VanCuren did this project, we had a hard time keeping them in the Village, therefore we have added penalties for not finishing on time. Mr. DeWater stated that he will issue a notice to proceed and the program start date will be that of the date on that notice and it will give them sixty (60) calendar days to complete the job.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2016-50 – Introduced by Mr. Fritz

AN ORDINANCE REJECTING ALL BIDS RECEIVED FOR THE 2016 ROOF REPAIRS PROGRAM AND DECLARING AN EMERGENCY.

Mr. Fritz stated that a while back, Mr. DeWater contacted a reputable contractor to look at our roof surfaces and assess the need for some repairs. Council then authorized Mr. DeWater to bid out the project. Three bids were received, however, during this time we learned that there was some hail damage to the Police Department roof, for which we may be able to receive insurance money to help repair said damage. These three bids need to be rejected so that we can see what, if any, insurance money we are entitled to before re-bidding the project.

Mr. Fritz made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2016-50.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mr. Fritz made a motion seconded by Mr. Buczek for passage of Ordinance 2016-50. Mr. Stanard asked if we are in any imminent danger of additional damages. Mr. DeWater stated that Sheila McBride, from our insurance company, will be coming here Friday to look at all the roofs to see if they also have damage, and if not, find out why the Police Department roof does while the others do not. Mr. DeWater stated that the new bid package will be out ASAP with the stipulation that all bidders need to attend a pre-bid meeting; some of the original bidders did not include enough information to address our icing problem.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2016-51 – Introduced by Mr. Stanard

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER A CONTRACT WITH MEDICAL MUTUAL FOR THE PROVISION OF HEALTH CARE INSURANCE TO VILLAGE EMPLOYEES, AT THE TOTAL ESTIMATED MONTHLY COST OF \$39,057.00 AND DECLARING AN EMERGENCY.

Mr. Stanard stated that this will extend our contract for another 13-month period. COSE and Medical Mutual are both well respected companies. He stated that he feels that a good plan with good companies and good employees is the best you can hope for and that it is also easy for Village employees to stay with the same company so that there are less transition problems. The plan to the employees is the same, however the yearly cost has increased by 15%. At the end of the 13 months, we will be at the end of a grandfather period. Currently, the best plan is to keep what we have; in 13 months, we will have to look at different options.

Mr. Stanard made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2016-51.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None
MOTION CARRIED

Mr. Stanard made a motion seconded by Ms. Sturgis for passage of Ordinance 2016-51. Mr. Richman asked Mr. Shah what last year's projection versus the actual cost turned out to be. Mr. Shah stated that in 2015, our increase was 7.5%; it was going to be 12% in 2014, but we increased the deductibles that year. The number of employees is the variable and can affect the amounts. Ms. Sturgis asked if the Village will make the employees aware of the change in coverage age for dependents. Mr. Shah and Mr. Stanard both stated that it is the responsibility of Medical Mutual to relay any changes to all their subscribers, on our behalf. Mayor Renda stated that there is one employee that is affected by this, and he is aware of it.

ROLL CALL:
AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis
NAYS: None
MOTION CARRIED

Ordinance 2016-52 – Introduced by Mr. Fritz

AN ORDINANCE PROVIDING ADDITIONAL APPROPRIATIONS, TRANSFERRING ITEMS ALREADY APPROPRIATED AND DECLARING AN EMERGENCY.

Mr. Fritz stated that there are no advances and the transfers were the typical ones for the Police Pension and Police and Fire Levey. The amendments to current appropriations encumbered are as follows; Village Engineer for \$7,000 which is for the expense of scanning in our building department plans; General Administration for \$10,000 which is for County web design services, Strategy Design Partners for \$4,000 which is for the zoning Issue 70, \$3,500 which is for unemployment compensation paid to our former Assistant to the Treasurer; Contribution for \$25,000 primarily for OPERS. One employee took early retirement and the cost of that buy-out was approximately \$48,000.

Mr. Fritz made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2016-52.

ROLL CALL:
AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis
NAYS: None
MOTION CARRIED

Mr. Fritz made a motion seconded by Mr. Richman for passage of Ordinance 2016-52.

ROLL CALL:
AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis
NAYS: None
MOTION CARRIED

Resolution 2016-53 – Introduced by Mr. Buczek

A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO MAKE ADVANCES FROM THE PROCEEDS OF REAL AND PERSONAL PROPERTY TAX LEVIES AND SPECIAL ASSESSMENTS DURING THE FISCAL YEAR 2017 PURSUANT TO THE OHIO REVISED CODE SECTION 321.34 AND DECLARING AN EMERGENCY.

Mr. Buczek stated this is an annual resolution where we ask the county to transfer funds from property tax and special assessments monthly, instead of semi-annually.

Mr. Buczek made a motion seconded by Mr. Fritz to suspend the rules for Resolution 2016-53.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Mr. Stanard for passage of Resolution 2016-53.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Miscellaneous

Mr. Buczek stated that he will be out of town at the end of next week through the weekend, because his wife's daughter is getting married in Philadelphia.

Mr. Fritz stated that he wanted to make sure that everyone was still on the same page regarding a discussion previously had about addressing the issue of providing discretionary funding for travel, seminars, etc. for the Mayor. He stated that he feels that it is an integral part of being able to run the Village and just wanted to bring it to everyone's attention again so that a further discussion can be had after the first of the year.

Mr. Richman asked Council when they wanted to provide the Firefighter's appreciation dinner. The consensus was to do it in February.

Mr. Buczek made a motion seconded by Mr. Richman to adjourn the Regular Council at 7:58pm.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

The meeting was adjourned at 7:58pm.

Attest:

Sherri Arrietta, Clerk of Council

Steve Richman, Council President