

REGULAR COUNCIL MEETING

February 12, 2020

MINUTES

The Regular Council Meeting of the Village of Moreland Hills was called to order by Mayor Fritz at 7:00pm, in the Village Council Chambers.

PRESENT AT ROLL CALL: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

ABSENT: Mr. Stanard

Also Present: William Hanna, Law Director, Chief Kevin Wyant, Prashant Shah, Treasurer, Jeff Filarski, Village Engineer, Ted DeWater, Service Director, Sherri Arrietta, Clerk of Council

Mr. Richman made a motion seconded by Mr. Emerman to approve the minutes of the Organizational-Regular Council Meeting of January 6, 2020.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: None

MOTION CARRIED

At this time, Mayor Fritz presented proclamations to Moreland Hills residents and students of Brady Middle School, Camryn Zucker and Tyler Heasley. Both Camryn and Tyler represented this area in Columbus at the Youth Government Assembly, which was made up of 300 students from 23 school districts, by creating their own legislation on environmental activism.

Resident Comments:

Jill Korosk and Kate Carpenter were here to represent Orange Schools and to talk about the upcoming levy. Ms. Korosk introduced herself and stated that she is the Director of Orange Community Recreation and Education. She explained that on March 17, residents would have the opportunity to vote on Issue 30, which is a 5-year levy renewal; it is not a tax increase. This issue has been on the ballot every 5 years since 1970 and there has been no increase since 1995. It only costs homeowners \$28.00 per \$100,000 valuation of their home, per year. This levy benefits Orange Community Education and Recreation programs and goes directly to her department, although it will say Orange City School District on the ballot because they are the taxing authority. The levy benefits programs such as Orange Early Childhood

Preschool, Stage Crafters Theater, sports, before and after school activities, Orange Senior Center, and the Orange Art Center, which are all programs that the community has come to love.

Mrs. Carpenter introduced herself and stated that she is a resident who is working with Ms. Korosk. She stated that she has two young boys that have benefited greatly from the programs they offer. She stated that the program has actually grown and changed over the years greatly. She is hoping that everyone supports the levy.

Mr. Richman stated that 75% of their funds are raised from the programs themselves and only 25% is funded by the levy. He stated that they offer so many different programs for all types of kids, whether they are sports related or not, which helps children find something they like and where they feel they belong, which makes them feel good about themselves.

Reports from the Mayor and Other Municipal Officials

Mayor

Mayor Fritz reported that he continues to stay in communication with Senator Dolan and Representative Robinson regarding our capital budget request. Representative Robinson is holding a Town Hall Meeting on March 9 in Moreland Hills and he would urge Council Members to participate and get their neighbors to attend as well.

Service

Mr. DeWater did not have a report.

Police

Chief Wyant did not have a report.

Finance

Mr. Shah reported that he has started working on the budget and is hopeful that he will have the numbers together in the next couple of weeks. He stated that he would present the budget at the Committee of the Whole Meeting in March. Mayor Fritz informed Council that it is their intent to provide Council with a copy of the budget prior to the meeting.

Engineer

Mr. Filarski did not have a report.

Reports of Committees

Roads & Safety Committee

The Roads and Safety Committee Met on February 4, 2020 and Ms. Sturgis gave a report based on the meeting minutes, which are attached. Mr. Filarski passed out 2020 Road Program maps to Council members. The next meeting will be on March 3.

Facilities Committee

The Facilities Committee met on February 4, 2020 and Mr. Emerman gave a report based on the meeting minutes, which are attached. The next meeting will be on March 3.

BZA

The Board of Zoning Appeals met on Feb 3, 2020 and Mrs. Kozminski-VanderHart gave a report based on the meeting minutes, which are attached. The next meeting will be on March 2.

Planning Commission

The Planning Commission met after the BZA on February 3, 2020 and Mrs. Kozminski-VanderHart gave a report based on the meeting minutes, which are attached. The next meeting will be on March 2.

ORDINANCES AND RESOLUTIONS

Mayor Fritz asked Council if they could read Ordinance 2020-19 first because the representative from Wichert Insurance is here tonight. Council agreed.

Ordinance 2020-19- Introduced by Ms. Sturgis

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WICHERT INSURANCE SERVICES, INC. FOR THE PROVISION OF GENERAL LIABILITY, POLICE PROFESSIONAL, PUBLIC OFFICIAL, AUTOMOBILE, PROPERTY AND CYBER LIABILITY INSURANCE TO THE VILLAGE OF MORELAND HILLS, AT A TOTAL AGGREGATE COST OF \$53,314.00 SUBJECT TO ADDITIONS AND DELETIONS DURING THE TERM OF THE AGREEMENT AS APPROVED BY THE MAYOR; WAIVING COMPETITIVE BIDDING AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that Wichert submitted a quotation to the Village which would be for the period of March 1, 2020 to March 1, 2021. They have been our insurance carrier for the past several years. This quote is for \$53,314.00 which is roughly a 7.8% increase from last year's premium cost and she informed Council that the Village did have a claim last year. Ms. Sturgis asked if anyone had any questions for the Wichert Representative, Janie Geis.

Mr. Richman asked about the low deductibles and whether there would be a decent decrease in the premium by increasing those deductibles. Mr. Shah stated that he and Ms. Geis have been working on this and it would not make sense to do that. He stated that we would only be saving about \$100 for the deductible to go up to \$10,000.

Mr. Spencer asked what was driving the increases. Ms. Janie Geis stated that was a good question and asked if she could introduce herself and explain why the Village has gone with Wichert for so many years before she answers it. She stated that Wichert has handled the Village's insurance since 2003, at the invitation of Mr. Shah, who worked for Pepper Pike as well as Moreland Hills at the time. Wichert still provides insurance to Pepper Pike as well as Orange Village, Solon, and Beachwood. Each of those communities have different carriers based on their needs. Moreland Hills had been placed with Selective Insurance for a few years and this will be the second year with Travelers Insurance. There was quite a bit of savings when the Village was moved to them last year, therefore the second year increase is not out of the norm. The Village has had some bumps in the last 5 years, but nothing out of the ordinary. Ms. Geis stated that she has been doing this for fifteen years and all she knows is the public sector, and this is the first time that she is seeing the public sector prices raise. She stated that in 2009 they moved the Village from a 5 million dollar umbrella to a ten million dollar umbrella with the cost only increasing by \$2500. Ms. Geis stated that Wichert represents more than one carrier so they try to get the best deal for their clients. Mr. Shah stated that as the ordinance states, he does watch during the year and will act on any changes, for example he currently has his hands on a cyber-liability application, which may make sense to look at adding at some point for a minimal premium.

Ms. Sturgis made a motion seconded by Mr. Richman to suspend the rules for Ordinance 2020-19.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Emerman for passage of Ordinance 2020-19.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-07-Introduced by Ms. Sturgis

AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 2020-03 PROVIDING FOR THE CONTINUED EMPLOYMENT OF SANTO T. INCORVAIA AS PROSECUTOR, FIXING COMPENSATION AND DECLARING AN EMERGENCY.

Ms. Sturgis stated Council previously passed legislation reinstating Santo Incorvaia as the Village Prosecutor. This legislation amends that ordinance to restate his duties and compensation. The previous ordinance had Mr. Inocorvaia's hourly rate at \$142 and it should be \$150, and his additional duties are outlined further in this current ordinance.

Ms. Sturgis made a motion seconded by Mrs. Kozminski-VanderHart to suspend the rules for Ordinance 2020-07.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Sturgis made a motion seconded by Mr. Richman for passage of Ordinance 2020-07.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-08 - Introduced by Mrs. Kozminski-VanderHart

AN ORDINANCE DESIGNATING A CERTAIN INDIVIDUAL TO ATTEND CERTIFIED SUNSHINE LAW TRAINING.

Mrs. Kozminski-VanderHart stated that this ordinance would designate an individual to act as a representative of Council to fulfill the requirements of the Ohio Sunshine Laws training. For each term of office, this ordinance would allow Mrs. Arrietta to be the designee for Mr. Spencer, Mrs. Kozminski-VanderHart, Mr. Richman, and Mr. Emerman.

Mrs. Kozminski-VanderHart made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2020-08.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mrs. Kozminski-VanderHart made a motion seconded by Ms. Sturgis for passage of Ordinance 2020-08.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Richman asked if Mrs. Arrietta could get a copy of a booklet when she attends the training to everyone and then they can discuss it at a Committee of the Whole meeting. Mrs. Arrietta agreed.

Ordinance 2020-09- Introduced by Ms. Sturgis

AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Ms. Sturgis stated WH Drane Company publishes the updates to our Codified Ordinances yearly, which is required by the Ohio Constitution and State Law. Section 1 specifies the ordinances passed by the Village and Section 2 are ones that were required by the Ohio Constitution and adopted by legislature.

Ms. Sturgis made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2020-09.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Richman for passage of Ordinance 2020-09.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-10 Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH CHAGRIN VALLEY PAVING, INC. FOR THE 2019 ASPHALT REPAIRS AND MAINTENANCE PROGRAM AND DECLARING AN EMERGENCY.

Mr. Richman stated that this ordinance closes out and reconciles the 2019 road program for the decrease amount of \$42,872.42. The change of quantities can be seen by comparing the original contract to the actual quantities, which are shown in the documents included with the ordinance.

Mr. Richman made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2020-10.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Richman made a motion seconded by Ms. Sturgis for passage of Ordinance 2020-10.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-11- Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH ABV CONTRACTING CO. FOR THE 2019 DRAINAGE AND CULVERT PROGRAM AND DECLARING AN EMERGENCY.

Mr. Richman stated that Ms. Sturgis discussed the need for this change order in her report. It is for the increase amount of \$3200. Additional items that were needed to increase drainage flow and decrease erosion, which were not evident until work began.

Mr. Richman made a motion seconded by Mrs. Kozminski-VanderHart to suspend the rules for Ordinance 2020-11.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Emerman for passage of Ordinance 2020-11.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-12- Introduced by Mr. Emerman

AN ORDINANCE ACCEPTING THE BID OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH, TERRACE CONSTRUCTION COMPANY, INC. FOR THE INSTALLATION OF SEWER LATERALS IN VARIOUS LOCATIONS AND DECLARING AN EMERGENCY.

Mr. Emerman stated this is to accept the bid of Terrace Construction in the amount of \$178,413.61 for the installation of 17 sewer laterals that would take the sanitary sewers up through the right-of-way to the property line for residents that are being required to abandoned their septic systems and tie into the sanitary sewer system.

Mr. Spencer stated that he would like to propose an amendment before a motion to suspend the rules was made. Mr. Hanna stated that he could make a motion to amend after the suspension of the rules.

Mr. Emerman made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2020-12.

Mr. Emerman stated that they might want to have a discussion specifically on the motion to suspend. Mr. Spencer stated that what he wanted to discuss is specific to the suspension of the rules. He understands the time constraints, but would like to discuss not passing everything on emergency. He stated that he would like to ask that this ordinance not be passed on an emergency. Mr. Spencer stated that he would argue that this is not an emergency because this is a case where there has been considerable confusion among the residents and not a lot of communication about this. He feels that Council should not pass it as an emergency in order to provide proper time for discussion at Council meetings. The cost t is quite a bit of money for Council to spend and it is an issue where Council is asking residents to spend a lot of money of their own, so he would like to have more discussions about this ordinance.

Mayor Fritz stated that he would counter that there has been communication and it has been discussed extensively in committee meetings, other open meetings with our engineer, and has been discussed at Council, who then sent it out for bid, in unanimity, twice. He stated that he would like to hear from Mr. Filarski before Council makes a decision as to whether it is considered an emergency or not.

Mr. Emerman clarified that the motion to suspend the rules and declaring an emergency are slightly different. The motion for suspension of the rules is to suspend the need to place the ordinance on three readings while passing an ordinance as an “emergency” means that it becomes effective immediately after being passed, otherwise, it becomes effective 30 days after passage. He asked if Mr. Spencer is asking to place the ordinance on three readings. Mr. Spencer stated that he would like the ordinance to have three readings and therefore not suspend the rules.

Mr. Filarski stated that this was the third bid that has been accepted on this project. It is in conformance with our sanitary sewer policy, which was that the Village shall provide a 6” sanitary sewer lateral pipe at the right-of-way line in front of their property. If we do not accept this bid, then we would be going against that policy. Secondly, we have a 60-day limit to accept the bid, so placing it on three readings would take us past that 60 days. He also noted that this bid is \$58,000 less than the previous bid, which would lower the price per connection.

Mayor Fritz reiterated that placing it on three readings, would cause us to miss that 60-day window. Procedurally, we have a motion and a second, therefore Council should vote on that. If there were members of Council who want a delay, they would vote against suspending the rules. He asked Mr. Hanna if a second motion would then be made to delay the time frame.

Mr. Hanna stated that if the motion to suspend the rules is adopted, only one reading of the ordinance would be required, however if it fails, the ordinance would go to the next meeting for a second reading where Council could either adopt it that night or take it to a third reading, where the 60-day time frame to accept the bid would then be missed.

Mr. Emerman stated that another option, as he understands it, would be to suspend the rules, but not “declare an emergency,” which would give the ordinance 30 days until it actually takes effect. He stated that the purpose of this project is to benefit the residents that have to abandon their septic systems, and lessen their burdens as much as possible.

Mayor Fritz stated that he took exception, not offense, to the statement that there has not been communication about this. He feels that it was discussed quite a bit amongst Council members.

Mr. Spencer stated he thinks that the 17 residents do not feel the same way. He is not opposing the work; he is just opposing the time frame and feels there should be further discussion. He does think that the Village efforts to help these residents with the cost is a grand effort.

Mayor Fritz stated that he feels that those 17 residents would want this to pass. Mr. Spencer clarified that what he is saying is that there has been no communication from the Village to the residents formally since they filled out that form from Mr. Filarski. He stated that he thinks many people are confused as to what the Village is doing and would be surprised when construction began on their street.

Mayor Fritz stated the residents would be advised beforehand as they always are when a project is being done in the right-of-way. He asked Mr. Shah to confirm that some of the residents have already tied in. Mr. Shah stated that there have been five residents that have tied in and have been reimbursed. Mr. Spencer stated that while this is not our responsibility, he believes that the Cuyahoga County Board of Health has not communicated with anyone either. The original letter sent out was in February of last year and there has been no communication from them since. He stated that is why he does not think that this ordinance should be passed as an emergency at this time and feels it is worth further airing at a Council meeting.

Mr. Filarski commented that he has spoken to several residents that want the tie in and are asking about it and at least two of them have systems that are failing so they have been asked when this will happen because they need to tie in sooner rather than later. When the project does occur, there will be a lot of communication before anyone shows up on the street to do work. He stated that he would be contacting each of them to get more details and to find out the path of their sewer line, so that the connection is placed in the spot that makes the most sense. There is some timeliness to this based on the fact that we have several residents asking when this will happen because of their failing septic systems.

Mr. Richman stated that the way he sees it, after a number of inquiries from residents asking the Village to help with connection issues, Council passed an ordinance to pay for and to send out for bid the placement of the sewer laterals. It was one of Mr. Filarski's suggestions that we consider in order to help the residents. He stated that he feels that doing it expeditiously would save disruption time, and save the village money, but he does not feel that passing this ordinance three months later would help the process but instead, only cost dollars if it was not done all at once. He stated that he asked Mr. Filarski if it would make sense to have the lateral put there anyway even if a homeowner were to be successful in not having to tie-in, and his answer was yes because the sewer lateral would be there for the next owner.

Mayor Fritz stated he is hearing some rationale in that we have an existing policy that we have to adhere to and there is some immediacy to the residents need to tie in. Council can decide how they want to present the ordinance but he feels that an argument is being raised to move forward with it.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Ms. Sturgis

NAYS: Mr. Spencer
MOTION CARRIED

Mr. Spencer made a motion to pass Ordinance 2020-12, as amended by removing passage “as an emergency.” There being no second to the motion, the motion failed.

Mr. Hanna asked if anyone on Council is directly affected by this ordinance. Mr. Spencer stated that he was. Mr. Hanna informed him that he should abstain from voting on it under Ohio Ethics Laws, since he is directly affected.

Mr. Emerman made a motion seconded by Mrs. Kozminski-VanderHart for passage of Ordinance 2020-12.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Ms. Sturgis

NAYS: NONE

ABSTENTIONS: Mr. Spencer

MOTION CARRIED

Mayor Fritz stated that he knows that this is a difficult situation for Mr. Spencer and he would like to propose that they sit down and discuss messaging and properly communicating with the residents. He stated that he has every confidence in Mr. Filarski and Mrs. Arrietta who do the notifying in these situations, but he is open to suggestions.

Mr. Spencer stated that he is glad to do that. He stated that he has been involved in this issue, but he tries to think hard how to represent the interests of the residents and separate that from himself, which is difficult. He stated that he spoke with Mayor Fritz about this before this meeting and he took the advice to abstain from the actual vote, however he does feel like he owes it to residents and himself to vote his conscious on these issues.

Mayor Fritz stated that Mr. Spencer has been very civil about it tonight and he thanks him for that.

Ordinance 2020-13- Introduced by Mr. Emerman

AN ORDINANCE ACCEPTING THE BID OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH, NERONE AND SONS, INC. FOR MODIFICATION TO PIPING AND VALVES AT VARIOUS PUMP STATIONS AND DECLARING AN EMERGENCY.

Mr. Emerman stated this was explained at length in the Facilities Committee report tonight. It will modify the pump stations in order to accept the installation of the emergency generator.

Mr. Emerman made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2020-13.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Emerman made a motion seconded by Mr. Richman for passage of Ordinance 2020-13.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-14- Introduced by Mr. Emerman

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND THE NORTHEAST OHIO REGIONAL SEWER DISTRICT RELATING TO PUBLIC INVOLVEMENT AND PUBLIC EDUCATION PROGRAMMING FOR CALENDAR YEAR 2020 AND DECLARING AN EMERGENCY.

Mr. Emerman stated that as discussed at committee, there are two ways that wastewater and stormwater are conveyed. There can either be a combined system where the wastewater and stormwater combine and go to the treatment plant or there can be a separate system, which is what the Village has, where the wastewater goes to the treatment plant and the stormwater goes to creeks and streams. This requires the Village to have a permit from the Ohio EPA for that discharge. The MOU is with NEORSD who pays the Cuyahoga County Soil and Water Conservation District to do that outreach and education requirement portion for us, which is part of our responsibilities under that permit.

Mr. Emerman made a motion seconded by Mrs. Kozminski-VanderHart to suspend the rules for Ordinance 2020-14

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Emerman made a motion seconded by Mr. Richman for passage of Ordinance 2020-14.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-15- Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE CITY OF BEDFORD FOR JAIL SERVICES FOR VILLAGE OF MORELAND HILLS PRISONERS AND DECLARING AN EMERGENCY.

Mr. Richman stated that this is a renewal of a contract we have had with the City of Bedford for jail services. The cost is \$75.00 per day, per prisoner, and the contract term is for one year. There are no changes from last year's contract. Mr. Spencer asked how much the Village uses Bedford jail. Chief Wyant stated that it varies depending on what they are dealing with. Moreland Hills only has a temporary holding facility where prisoners can only be held for 6 hours. He stated that the nice thing is that the \$75.00 fee includes everything (video arraignment, OVI testing, etc.).

Mr. Richman made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2020-15.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Richman made a motion seconded by Ms. Sturgis for passage of Ordinance 2020-15.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-16- Introduced by Mrs. Kozminski-VanderHart

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT A NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2020 ENERGIZED COMMUNITY GRANT, AND DECLARING AN EMERGENCY.

Mrs. Kozminski-VanderHart stated this ordinance allows the Village to accept the NEC grant from NOPEC, which is used to promote energy savings. The Village has received this grant before; it is offered to communities that have residents participating and the amount that is awarded is based on the number of residents. In 2019 the Village received \$13,304 which was escrowed into an account to use with this year's NEC grant money (\$12, 954) to purchase a generator for the police department.

Mrs. Kozminski-VanderHart made a motion seconded by Mr. Spencer to suspend the rules for Ordinance 2020-16.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mrs. Kozminski-VanderHart made a motion seconded by Mr. Richman for passage of Ordinance 2020-16. ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-17- Introduced by Mr. Spencer

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A CATERPILLAR DG60 NATURAL GAS GENERATOR (INCLUDING INSTALLATION) FROM OHIO CAT POWER SYSTEMS, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.

Mr. Spencer stated this has been discussed a few times this evening. The NOPEC grant which Mrs. Kozminski-VanderHart just spoke about will be used toward the cost of this generator. It will be located in the police department and it will ensure backup service during a power failure to maintain safety services for the Village. He stated that the replacement of the generator was discussed at committee last year a few times but it was tabled in order to be put in the 2020 budget. It is being replaced because of the continued cost of maintenance and the difficulty in finding replacement parts. The total cost is \$35,000, which will be offset by the two NOPEC grants, which will leave about \$9,000 that the Village will have to pay for.

Mr. Spencer made a motion seconded by Mrs. Kozminski-VanderHart to suspend the rules for Ordinance 2020-17.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Spencer made a motion seconded by Ms. Sturgis for passage of Ordinance 2020-17.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Ordinance 2020-18- Introduced by Mr. Spencer

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

Mr. Spencer stated that there were three transfers from the General Fund; \$110,000 to the General Bond Retirement Fund, \$150,000 to the Police and Fire Levy, and \$25,000 to the Police Pension Fund. There were two advances from the General Fund which are transferred back to the General Fund once they generate revenue; \$1,000 to Water Maintenance and Repair and \$30,000 to Sanitary Sewer Maintenance.

Mr. Spencer made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2020-18.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Spencer made a motion seconded by Mr. Emerman for passage of Ordinance 2020-18.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Miscellaneous

Mrs. Kozminski-VanderHart stated that a resident of Pepper Pike who hikes in Forest Ridge brought to her attention a problem with trash removal there and said that the bins are overflowing a lot. Mr. DeWater stated that his department checks the bins 2-3 times a week. Many times people fill the bins up with all their trash right after they are emptied. Mrs. Kozminski-VanderHart asked that since they are aware that that happens, can they increase the number of times a week they empty the trash. Mr. DeWater stated that he would talk to Mr. Misterka, who is in charge of Forest Ridge, to check the trash bins more often.

Mr. Richman explained that Council has been making a donation to the local schools after-prom committees for several years and feels that this is a good cause because both these programs offer a safe, alcohol-free activity for kids during the statistically high season of alcohol-related accidents. Mr. Fritz stated that most Council members know his close connection to this issue. He would like to request that these donations be made on behalf of Grant Wilson who was killed several years ago by a drunk driver going 100MPH and who was three-times over the legal limit. He stated that Grant was his son's best friend so this not only affected his family, but also of course devastated Grant's family.

Mr. Richman made a motion seconded by Mr. Emerman to make a \$500 donation to both the Chagrin Falls and Orange Schools After-Proms, in memory of Grant Wilson.

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

Mr. Emerman made a motion seconded by Mr. Richman to adjourn the Regular Council Meeting at 8:48pm

ROLL CALL:

AYES: Mr. Emerman, Mrs. Kozminski-VanderHart, Mr. Richman, Mr. Spencer, Ms. Sturgis

NAYS: NONE

MOTION CARRIED

The meeting was adjourned at 8:48pm.

Attest:

Sherri Arrietta, Clerk of Council

Steve Richman, Council President