

REGULAR COUNCIL MEETING
October 12, 2022
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, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer
ABSENT: Mrs. Kozminski-VanderHart
Also Present: William Hanna, Law Director; Sherri Arrietta, Clerk of Council

Mayor Fritz asked if anyone had any additions or corrections to last month's meeting minutes. Mr. Richman stated that on page 5, the second paragraph under Ordinance 2022-45, the word "meeting" should be added after "last."

Mr. Emerman made a motion seconded by Mr. Janke to approve the minutes of the Regular Council Meeting of September 7, 2022, as amended.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: None

MOTION CARRIED

Resident Comments

John Sangdahl, resident at 15 Easton Lane was present at the meeting. He stated that he has had issues with noise from the Chagrin Valley Country Club for a long time, not just the recent issues he has spoken to the Village about. He feels it is excessive and while he is okay with them having parties, the issue is the decibel level. He stated that he could not entertain company on his own patio because the noise is so loud. Last year, it was very loud so he called and left a message at the CVCC. Over the years, he has called them six times but has never gotten a response back. Mr. Sangdahl stated that last year there was an instance of loud music, which caused people on Facebook to comment. As a result, the Police went and told them to turn it down. He stated that there has to be something that can be done if we can work together with the country club. There are ways to block noise within their property.

Mayor Fritz stated that Mike Heistercamp, CVCC Manger is very easy to work with. He suggested that they set up a meeting with Mr. Heistercamp to discuss and create some ground rules in a good faith effort, and Mr. Sangdahl can be a representative if he would like to be included, along with another resident that would be willing to come. Hopefully, we can get some parameters in place for next year to improve this issue, and if that does not happen, then we will have to look at different ways to address it.

Reports from the Mayor and Other Municipal Officials

Mayor

Mayor Fritz stated that some of Council is aware that the Village was awarded \$250,000.00 in residual District 6 AARPA funds, which will be used on Jackson Road. We continue to formulate plans for improvements on Jackson Road and Chagrin River Road, which are desperately needed. We are hoping

to utilize leftover funding from the Chagrin Blvd. Project. Mr. Shah has agreed to count that as an addition, not an insertion, into our normal road fund so that we can address our worst roads next year. Thanks to Mr. Filarski and Chagrin Valley Engineering for handling the application process with District 6. There is still 3.1 million dollars left for the second round, so we will apply once again.

Mayor Fritz reported that Department Heads are starting to assemble their 2023 capital budget requests for essential items.

He reported on the new Police Chief hiring process, as Chief Kevin Wyant will be retiring on February 28, 2023. Mayor Fritz stated that he has met with Lt. Dietzel and the three Sergeants in-person to outline the process. There will be a 4-person panel for the interview process. Interested candidates will have to submit their cover letter, resume, certifications, etc. by October 14. The panel will consist of Prosecutor Santo Incorvaia; Tom Fish, Roads and Safety Chair; Council President Spencer, and himself. We are planning for early November to hold the interviews. He will keep them posted as the process progresses. The new Police Chief will be sworn in at midnight on March 1, 2023, and then there will be a more formal swearing-in ceremony held at the March Council Meeting.

Mayor Fritz stated that he wanted to discuss meeting efficiency, specifically at our Committee of the Whole and Council meetings. Members receive a packet of information, which includes committee minutes, prior to the meeting, which they should review beforehand. He stated that they should not misunderstand his comments as an attempt to stifle communication, as that is in no way what he is doing. His views are in alignment with those of Council President Spencer who has had conversations with him about this. When it comes to legislation, unless it is complicated or extremely unusual, broad strokes are certainly appropriate especially since Council has the information prior to the meeting and has had time to reach out with any questions prior to the meeting. Spending an excessive amount of time recapping a fairly routine ordinance can be frustrating and leads to inefficiency. Mayor Fritz stated that the same goes for his reports and committee reports. He stated that he is ultimately just asking that they all work together to keep meetings flowing without unnecessary lengthy introductions and committee reports.

Mayor Fritz stated that the new campus security system (29 cameras) has been installed; we are just waiting on a few more cameras and for all the programming to take place. He met with Chief Wyant and Lt. Dietzel to discuss policies and procedures that will need to be put in place. The cameras that will be recording audio, which will be very few, will be labeled. We will message all the employees and have visuals on campus for visitors when they know they are in an area that they are being recorded.

Police

Chief Wyant stated that he spoke with Mr. Shah today because his is looking at getting reimbursement for the COVID grant; he needs to make a few adjustments and then submit it to the state. He stated that he is also looking into getting some grant money from the state for ballistic vests; the grant pays 75% and the Village matches 25%. Mayor Fritz asked Chief Wyant to stay at the meeting in case anyone has any questions about the legislation to purchase two motorcycles.

Service

Mr. DeWater stated that $\frac{3}{4}$ of the snowplow equipment is ready to go. He is working on the budget and the vendor contract for employee uniforms is under review. There is some asphalt patching that needs to be wrapped up and once done, they will go into winter mode.

Engineer

Mr. Filarski stated that the Chagrin Blvd project is going well and should be finished before the projected November 12 completion date. He stated that Mayor Fritz mentioned the funding for the Jackson Road project, which we were successful at getting. This is great for the Village because we have been trying to get funding for that road for many years. He was notified today that there is a meeting with County Council next Wednesday for a presentation, which he will be attending. Mayor Fritz asked if he should attend as well. Mr. Filarski stated that it would help if he were available to come. He informed Council that there are also two ordinances on the agenda tonight and he is available to answer any questions about.

Building

Mr. Kowalczyk reported on the Hiram House pool project. The building is essentially completed; they are still working on mechanicals inside. They were finally able to start working on the actual pool itself after waiting for the Ohio Department of Health to approve the pool drawings, which took over four months. They were finally released about two weeks ago, so they are trying to wrap it up before the weather changes. Mayor Fritz stated that special thanks is owed to Representative Robinson for helping to get things moving quicker. He reached out to his office after he learned of the long delay with the state. Representative Robinson is very responsive to the needs of our community.

Finance

Mr. Shah reported that income tax collections are up 9% compared to last year at this time. It is not surprising because part of that increase is due to withholding taxes. This is the impact of residents working from home and their employers are withholding taxes from Moreland Hills, as opposed to the location of their offices. This obviously works in our favor. He stated that he would continue to watch it through the end of the year as a lot could shake out with that. There was a court decision recently in the City of Cleveland where they talked about offering the refunds from 2020 for people that were working outside of the community. It is a complex situation and he thinks it is going to take at least a whole year to determine what the actual impact will be.

Law

Mr. Hanna did not have a report.

All Department Heads, with the exception of Chief Wyant were excused from the meeting at 7:25 pm.

Reports of Committees

Roads and Safety Committee

The Roads and Safety Committee met on October 4, 2022. Mr. Fish gave a report based on the meeting minutes, which are attached. The next regularly scheduled meeting is November 1, 2022, at 8:00am.

Facilities Committee

The Facilities Committee met on October 4, 2022. Mr. Richman gave a report based on the meeting minutes, which are attached. The next regularly scheduled meeting is November 1, 2022, at 8:30am.

BZA

The Board of Zoning of Appeals did not meet on October 3, 2022. The next meeting is November 7, 2022 at 6:00pm.

Planning Commission

The Planning Commission met October 3, 2022. Mr. Janke gave a report based on the meeting minutes, which are attached. The next meeting is November 7, 2022 at 6:00pm, following the BZA Meeting.

Parks Commission

The Parks Commission met on September 19, 2022 at Lang Pavilion. Mr. Janke gave a report based on the meeting minutes, which are attached. The next meeting is October 17, 2022 at 6:00pm at Lang Pavilion.

Approval of bonds, Contracts, Plats, Etc.

None

ORDINANCES AND RESOLUTIONS

Ordinance 2022-59- Introduced by Mr. Fish

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH THE VALLEJO COMPANY FOR THE 2022 ASPHALT PROGRAM, AND DECLARING AN EMERGENCY.

Mr. Fish stated that this is for additional centerline striping needed for safety reasons. It will be an increase cost of \$2300.00.

Mr. Fish made a motion seconded by Mr. Spencer to suspend the rules for Ordinance 2022-59.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Mr. Fish made a motion seconded by for passage of Ordinance 2022-59.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Ordinance 2022-60- Introduced by Mr. Fish

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GRADE LINE, INC. FOR THE 2022 DRAINAGE PROGRAM AND DECLARING AN EMERGENCY.

Mr. Fish stated that two bids were received. The lowest was from Grade Line, Inc. in the amount of \$112,947.00.

Mr. Fish made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2022-60.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE
MOTION CARRIED

Mr. Fish made a motion seconded by Mr. Spencer for passage of Ordinance 2022-60.

ROLL CALL:
AYES: NONE
NAYS: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer
MOTION CARRIED

Ordinance 2022-61- Introduced by Mr. Janke

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A NEW FUND ENTITLED “ONEOHIO OPIOID SETTLEMENT FUND” TO ACCOUNT FOR THE RECEIPT AND EXPENDITURE OF MONIES RECEIVED PURSUANT TO THE STATE OF OHIO ONEOHIO MEMORANDUM OF UNDERSTANDING AND DECLARING AN EMERGENCY.

Mr. Janke stated that in 2017, then-Attorney General DeWine filed a lawsuit against pharmaceutical companies due to over-prescription of opioids and knowing how addictive they were. As a result of the settlement, this fund was created to receive the funds to help combat and address opioid issues in the Village.

Mr. Janke made a motion seconded by Mr. Richman to suspend the rules for Ordinance 2022-61.

ROLL CALL:
AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer
NAYS: NONE
MOTION CARRIED

Mr. Janke made a motion seconded by Mr. Richman for passage of Ordinance 2022-61.

ROLL CALL:
AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer
NAYS:
MOTION CARRIED

Ordinance 2022-62- Introduced by Mr. Spencer

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TWO (2) HARLEY DAVIDSON MOTORCYCLES FOR THE POLICE DEPARTMENT FROM ROCK-N-ROLL CITY H-D/LIVEWIRE CUYAHOGA, AND DECLARING AN EMERGENCY.

Mr. Spencer stated that the Police Department currently has one motorcycle and two officers to drive it. It has been successful for community events and engagement as well as speed enforcement. Chief Wyant attended the Roads and Safety Committee meeting; an official vote was not taken but questions were asked so the committee could understand the costs and the benefits associated with it. The cost for both motorcycles would be \$55,000.00 but we would get money back from turning in the old motorcycle. Funding for this will come out of the Drug Trafficking Fund. The current balance of that fund is \$132,000, which will still leave a decent balance after this purchase. It supports positive community impact and

officer morale. Mr. Spencer asked if anyone had any questions for him or Chief Wyant.

Mr. Emerman stated that he would assume that the maintenance and gas is less on a motorcycle, so he would imagine there is some cost savings. He stated that he sees a lot of benefits. Mr. Spencer stated that the one downside is that they cannot be ridden in the winter. He stated that having two will allow for efficient maintenance because if one is down, there is still another motorcycle that can be used. Mr. Richman stated that he would think another benefit to the motorcycles is that they can get to areas that a vehicle cannot. He stated that he feels that the motorcycles help to get our community to interact with our officers at events, safety town, etc., so he is in favor of them.

Mr. Fish stated that it was mentioned that a third officer would be trained to ride the motorcycles and asked if there was a charge for that and whether it was covered under that program. Chief Wyant answered that there would be a charge but that it would come out of their training fund. If that is problematic, than he would take those funds from the DOJ or the Law Enforcement Trust Fund if he needed to. Having a third officer will give flexibility if someone is on vacation, there will still be two officers available.

Mayor Fritz stated that it is not uncommon for smaller Fire Departments to rotate a squad every few months so we will do the same with the motorcycles so there is less wear and tear. He stated that they are much more discreet and can police the neighborhoods better. He fully supports the use of the motorcycle officer in our neighborhoods. Lastly, he stated that it is a unique aspect to our department and a morale booster. It has his full support.

Mr. Janke added his support and stated that he seconds Mayor Fritz's comments about discreetness especially with pocket neighborhoods in monitoring speeders. He fully supports it as well.

Mr. Spencer made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2022-62.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Mr. Spencer made a motion seconded by Mr. Janke for passage of Ordinance 2022-62.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Chief Wyant thanked Council for their support. He stated that a lot of officers will be quite happy. Chief Wyant left the meeting at 7:54pm.

Resolution 2022-63- Introduced by Mr. Richman

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 2023 PURSUANT TO THE OHIO REVISED CODE SECTION 321.34 AND DECLARING AN EMERGENCY.

Mr. Richman stated this allows the Village to request, on an annual basis, that the County Fiscal Officer forward property tax revenues as they are received versus only twice a year when most are received by the county. It allows us early access to the funds.

Mr. Richman made a motion seconded by Mr. Spencer to suspend the rules for Resolution 2022-63.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Janke for passage of Resolution 2022-63.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Ordinance 2022-64 Introduced by Mr. Emerman

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

Mr. Emerman stated that are three amendments to current appropriations this month. The first one is for Health Insurance. When we budgeted at the beginning of the year, we budgeted for the current employees at that time, but since then we have hired four new employees, so this amount (\$50,000.00) is for their premiums. The second amendment to the Police and Fire Levey is for ballistic bulletproof vests. Chief Wyant mentioned a grant program with the Ohio Department of Workers Comp that will cover 75% with a 25% local match. We would be able to get 14 vests with the grant. Our contribution would be \$5,000.00 but we have to appropriate all of it (\$20,000.00). Lastly, the \$60,000.00 from the Drug Trafficking Fund is for the two new motorcycles for the Police Department.

Mr. Emerman made a motion seconded by Mr. Fish to suspend the rules for Ordinance 2022-64.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Mr. Emerman made a motion seconded by Mr. Fish for passage of Ordinance 2022-64.

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

Miscellaneous

Mr. Spencer stated that the Notice of Proposed Amendments to the Charter arrived in the mail today. He has already received two calls with questions. He wanted to bring a consideration to Council that they think about ways to add some color as to why some of these amendments are on the ballot. Mr. Spencer explained an example of the questions he is receiving. People want to know why we need the provision for the removal of a Council member and they are wondering if there is a problem on Council currently. If we had some commentary explaining that the Charter Review Commission suggested it because we did not have any such process in place, it would be helpful. I think if we can convey that to the residents so that they can understand the rationale, it would help them understand what they are voting on. He was thinking of putting something on his personal Facebook page explaining it because some people think the worst.

Mayor Fritz stated that it is a fair request. We did go through a very transparent process holding public meetings, direct mailing every elector in the Village, etc. He stated that someone suggested having a Q&A session but he feels like the Charter Review Commission would do that over Council. If Council gets questions, then they should certainly answer those questions.

Mr. Hanna stated that the easiest way is to put out neutral, complete and correct information. He stated that the report that was prepared for Council from the Charter Review Commission included all their deliberations and the proposed amendments; all but one of those proposed amendments was forwarded to the electors by Council. Putting that document on the Village Facebook page might be a good idea so that Council is not engaged in advocating for or potentially giving an explanation that could be misleading in retrospect.

Adjournment

Mr. Janke made a motion seconded by Mr. Richman to adjourn the Regular Council Meeting at 8:06pm

ROLL CALL:

AYES: Mr. Emerman, Mr. Fish, Mr. Janke, Mr. Richman, Mr. Spencer

NAYS: NONE

MOTION CARRIED

The meeting was adjourned at 8:06pm.

Attest:

Sherri Arrietta, Clerk of Council

Ethan Spencer, Council President