

REGULAR COUNCIL MEETING
November 14, 2018
MINUTES

The Regular Council Meeting 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. Emerman, Mr. Fritz, Mr. Richman, Mr. Stanard, Ms. Sturgis

Also Present: Aimee Lane, Law Director, Jeff Filarski, Village Engineer, Lt. Todd Dietzel, Ted DeWater, Service Director, Sherri Arrietta, Clerk of Council, Mr. Steve Eshelman, HULL

Mr. Buczek made a motion seconded by Mr. Emerman to approve the minutes of the Regular Council Meeting of October 10, 2018.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Resident Comments

There were no residents present wishing to speak.

Reports from the Mayor and Other Municipal Officials

Mayor –

Mayor Renda stated that she is very grateful that residents passed the safety levy. While she understands that it was a significant levy, it was what we needed to go forward. She stated that she was grateful to Council for working the polls and talking to their neighbors about the levy.

-Finance

Mr. Shah reported that the Village would be paying our workers comp premium in advance. This will be the second payment this year and has not yet been appropriated.

-Police

Lt. Dietzel reported that they just sold the Toyota Camry for \$209.62. He thanked Council and the Mayor on behalf of the Police Department and the Fire Department and stated that he appreciates their support throughout Issue 49.

-Engineering

Mr. Filarski reported that the consultant, ODOT, and the geotechnical engineer came to agreement on the design of the wall on Route 87, and they are moving forward on plans. They decided on the wall system that will not have tiebacks, but will have soldier piles. They will begin the work in March at the earliest.

-Service

Mr. DeWater reported that the Service Department sold their 2004 Sterling truck for \$39,750, which is almost a 50% payback.

-Law

Mrs. Lane reported that the retainer hours through October are 452.5, and there are still two months left in the year, plus there will also be a special BZA appeal hearing held in December for a non-conforming use.

Reports of Committees

Facilities Committee

The Facilities Committee did not meet in November. The next regularly scheduled meeting is December 4, 2018, at 8:00am.

Roads & Safety Committee

The Roads and Safety Committee did not meet in November. The next regularly scheduled meeting is December 4, 2018, at 7:30am.

BZA

Mr. Stanard reported that the BZA met on November 5, 2018, and gave a report based on the meeting minutes, which are attached. The next regular meeting will be on December 3, 2018.

Planning Commission

Mr. Stanard reported that the Planning Commission met on November 5, 2018, immediately following the BZA Meeting. He gave a report based on the meeting minutes, which are attached. One of the items was a Conditional Use Certificate request for streambank restoration and pond dredging in a riparian setback on Lochspur Lane, which was recommended to Council. The next regular meeting will be on December 3, 2018.

APPROVAL OF BONDS, CONTRACTS, PLATS, ETC.

Falk/Wilson

25 Lochspur Lane

Conditional Use Certificate –

Streambank Restoration and Pond Dredging in a Riparian Setback

Section 1173.07(e)(2)

Mr. Stanard stated that this project was presented to the Planning Commission in September 2017. The tank at Chagrin Valley Country Club developed a leak causing the gasoline to work its way into the waterway and into a pond on Lochspur.

Mr. Steve Eshelman from HULL, explained further that the country club has above ground storage tanks and one of them developed a leak in the hose. The pump was left on for the night, so it continued to leak a couple hundred gallons of gas into the stream by the country club, which then traveled under SOM and

ultimately into the pond on the property at 25 Lochspur Lane. The residents called the Fire Department, and Ohio EPA responded and recommended that the country club's contractors clean it up and address the spill; they removed soil and vegetation from the pond and that left a damaged area in need of repair. Ohio EPA oversaw the spill response clean up and the Army Corp of Engineers has jurisdiction over the wetlands restoration. It took a year to complete the process and get approval from the Army Corps of Engineers. He stated that they restored the stream bed, dredged the pond, removed sediment, and re-seeded and re-planted with native plants.

Mr. Stanard explained that the work is almost substantially completed and said that the letter from Mr. Filarski dated November 1, 2018 stated that this project requires an after-the-fact approval of the work in the stream channel and required clean up resulting from the fuel spill. Material was dredged to remove the contaminated materials, the stream was restored with various restoration practices such as riffles, creation of floodplain areas, and vegetative plantings, and a .047 acre wetland fill. All this work was permitted by the Army Corp of Engineers, and is substantially complete, and our village engineer has recommend approval of the conditional use certificate under Chapter 1173.07.

Mr. Stanard made a motion seconded by Mr. Buczek to approve the Conditional Use Certificate for streambank restoration and pond dredging in a riparian setback located at 25 Lochspur Lane.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Eshelman left the meeting at 7:20pm.

ORDINANCES AND RESOLUTIONS

ORDINANCE 2018-52- Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SANITARY SEWER AND WATERLINE EASEMENT AGREEMENT WITH THE VILLAGE OF CHAGRIN FALLS AND DECLARING AN EMERGENCY.

Mr. Richman stated that the Village entered into a sewer and waterline easement agreement a few months ago with Chagrin Falls and Chagrin River Development. That agreement provided that we would give an easement to Chagrin Falls to allow them to maintain, operate, repair, etc., the sanitary sewer facilities in the Chagrin Blvd. right-of-way. This ordinance grants Chagrin Falls that perpetual easement to maintain, operate, repair, etc. the 8-inch watermain and related facilities within the Chagrin Blvd. right-of-way and the Addison Lane right-of-way.

Mr. Richman made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-52.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2018-52.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-53- Introduced by Mr. Fritz

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH C.A. AGRESTA CONSTRUCTION CO. FOR THE TWIN ACRE COURT RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY.

Mr. Fritz stated that this change order is the result of the contract reconciliation due to the project being completed, for the decrease amount of \$59.34.

Mr. Fritz made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-53.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Fritz made a motion seconded by Mr. Buczek for passage of Ordinance 2018-53.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-54 - Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH DIVERSIFIED INFRASTRUCTURE SERVICES, INC. FOR THE 2017 SEWER CLEANING AND TELEVISIONING PROGRAM AND DECLARING AN EMERGENCY.

Mr. Richman stated that this change order is the result of the contract reconciliation due to the project being completed, for the decrease amount of \$52.32.

Mr. Richman made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-54.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2018-54.

ROLL CALL:

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

NAYS: None
MOTION CARRIED

Ordinance 2018-55 - Introduced by Ms. Sturgis

AN ORDINANCE CREATING THE VILLAGE CAMPUS IMPROVEMENT FUND WITHIN THE FINANCIAL RECORDS OF THE VILLAGE OF MORELAND HILLS, AND DECLARING AN EMERGENCY.

Ms. Sturgis explained that it was recommended by the Treasurer to create a new fund to receive and expend funds in order to make changes to the Police Department, Village Hall, and Service garage. This recommendation was also discussed at committee.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-55.

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

Ms. Sturgis made a motion seconded by Mr. Buczek for passage of Ordinance 2018-55.

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

Ordinance 2018-56 - Introduced by Mr. Emerman

AN ORDINANCE AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE, AND RELATED MATTERS, AND DECLARING AN EMERGENCY.

Mr. Emerman stated that this ordinance relates to the sale of bonds to make improvements to the Village campus. The issuance of bonds comes with regulations from the IRS; one being that the attached form has to be filled out so that we can be reimbursed for work done prior to the issuance of bonds.

Mr. Emerman made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2018-56.

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

Mr. Emerman made a motion seconded by Mr. Richman for passage of Ordinance 2018-56.

ROLL CALL:
AYES: Mr. Buczek, Mr. Emerman, Mr. Fritz, Mr. Richman, Mr. Stanard, Ms. Sturgis

NAYS: None
MOTION CARRIED

Ordinance 2018-57 - Introduced by Mr. Stanard

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$665,500 FOR THE PURPOSE OF PAYING COSTS OF REPLACING THE ROOF OF, RENOVATING AND OTHERWISE IMPROVING THE VILLAGE'S POLICE DEPARTMENT BUILDING AND IMPROVING ITS SITE, AND DECLARING AN EMERGENCY.

Mr. Stanard stated that this ordinance is the first of two bond ordinances on the agenda tonight. This one is for \$665,500 for the issuance and sale of the bonds to repair the Police Department roof and additional improvements. The amount includes both architectural and engineering services from LaBella.

Mr. Stanard made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2018-57.

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

Mr. Stanard made a motion seconded by Mr. Richman for passage of Ordinance 2018-57.

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

Ordinance 2018-58 - Introduced by Mr. Stanard

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$370,500 FOR THE PURPOSE OF PAYING COSTS OF RECONSTRUCTING THE ENTRANCE TO AND REPLACING THE ROOF OF, RENOVATING AND OTHERWISE IMPROVING VILLAGE HALL AND IMPROVING ITS SITE, AND DECLARING AN EMERGENCY.

Mr. Stanard stated that this ordinance is the same as the previous one but it is in the amount of \$370,500 for the reconstruction of the Village Hall entrance and will allow, if necessary, a shingle roof replacement and new foundation allowance, if required. The amount also includes the cost of the architectural and engineering services.

Mr. Stanard made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2018-58.

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

Mr. Stanard made a motion seconded by Mr. Emerman for passage of Ordinance 2018-58.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-59 - Introduced by Mr. Buczek

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL FOR THE PROVISION OF HEALTH CARE INSURANCE TO VILLAGE EMPLOYEES, AT THE TOTAL ESTIMATED MONTHLY COST OF \$43,112.10 AND DECLARING AN EMERGENCY.

Mr. Buczek stated that this ordinance is for the annual contract for health insurance for Village employees. Mr. Shah explained that we are grandfathered into the plan we have which means that we keep the same structure, however our rates did go up by 14%. The rate increase was still the best deal that we received for health insurance.

Mr. Buczek made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-59.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Ms. Sturgis for passage of Ordinance 2018-59.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-60- Introduced by Mr. Buczek

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GUARDIAN LIFE INSURANCE COMPANY OF AMERICA FOR THE PROVISION OF LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE TO VILLAGE EMPLOYEES AND DECLARING AN EMERGENCY.

Mr. Buczek stated that this ordinance is for life insurance and accidental death and dismemberment insurance for Village employees.

Mr. Buczek made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-60.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Mr. Richman for passage of Ordinance 2018-60.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-61 Introduced by Mr. Buczek

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH METLIFE FOR THE PROVISION OF DENTAL COVERAGE TO VILLAGE EMPLOYEES AND DECLARING AN EMERGENCY.

Mr. Buczek stated that this ordinance is for dental insurance coverage for Village employees.

Mr. Buczek made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2018-61.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Ms. Sturgis for passage of Ordinance 2018-61.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Resolution 2018-62- Introduced by Ms. Sturgis

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

Ms. Sturgis stated that this ordinance authorizes the necessary tax levies and certifies them to the county fiscal officer based on the money that will be received by the Village.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Resolution 2018-62.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Emerman for passage of Resolution 2018-62.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Resolution 2018-63- Introduced by Ms. Sturgis

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 2019 PURSUANT TO THE OHIO REVISED CODE SECTION 321.34 AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that this ordinance allows any money to be distributed to the Village from the accounts from the County Treasurer, to be used for Village operations or applicable use for 2019. These funds are drawn on by request from the Village.

Ms. Sturgis made a motion seconded by Mr. Buczek to suspend the rules for Resolution 2018-63.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Buczek for passage of Resolution 2018-63.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-64- Introduced by Mr. Emerman

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

Mr. Emerman stated that there were three amendments to the appropriations this month and are as follows: fuel for the Service Department in the amount of \$20,000 because there was an increase in the price of gas and the cost was underestimated; Police Drug Trafficking in the amount of \$3,000, which is reimbursed to the General Fund; Engineer Study in the amount of \$3,000 for work done preparing the grant for the House on the Hill and architectural work from LaBella for the Police Department.

The three transfers were to the Police Pension Fund for \$10,000, Police and Fire Levy Fund for \$100,000, and the Property Improvement fund for \$2,000; the money for this fund used to come from the Estate Tax that we no longer receive, therefore now the money is transferred from the General Fund when needed.

Mr. Emerman made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2018-64.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Emerman made a motion seconded by Mr. Buczek for passage of Ordinance 2018-64.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-65- Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ORANGE VILLAGE FOR THE JOINT PURCHASE AND OPERATION OF A SEWER CAMERA AND LOCATOR, AND DECLARING AN EMERGENCY.

Mr. Richman stated that the ordinance approving the agreement between Moreland Hills and the sewer district regarding the purchase of the camera was passed last week at the Committee of the Whole Meeting. This ordinance handles the agreement between Orange Village and Moreland Hills regarding the split cost for the camera, which will be \$5175.00 each. Moreland Hills will reimburse Orange for our half. Mr. DeWater stated that he has not had any problems sharing equipment with other communities, except some scheduling conflicts, but nothing that was not able to be worked out.

Mr. Richman made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2018-65.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2018-65.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Miscellaneous

Mayor Renda congratulated Mr. Buczek on his great recovery from knee surgery. Mr. Buczek thanked her and stated that the operation went well and he is surprised at how fast his recovery is going.

Mr. Buczek made a motion seconded by Mr. Richman to adjourn the Regular Council Meeting at 7:53pm.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

The meeting was adjourned at 7:53pm.

Attest:

Sherri Arrietta, Clerk of Council

Dan Fritz, Council President

I, Sherri Arrietta, Clerk of Council of the Village of Moreland Hills, do hereby certify that the foregoing is a true and correct approved copy of the November 14, 2018 Regular Council Meeting Minutes of the Village of Moreland Hills.

Date: _____

Sherri Arrietta, Clerk of Council Village of Moreland Hills