

REGULAR COUNCIL MEETING  
December 12, 2018  
MINUTES

The Regular Council Meeting of the Village of Moreland Hills was called to order by Mayor Renda at 7:02pm, in the Village Council Chambers.

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

Also Present: Aimee Lane, Law Director, Jeff Filarski, Village Engineer, Chief Kevin Wyant, Prashant Shah, Treasurer, Paul Kowalczyk, Building Commissioner, Sherri Arrietta, Clerk of Council

Mr. Buczek made a motion seconded by Mr. Richman to approve the minutes of the Regular Council Meeting of November 14, 2018.

ROLL CALL:

AYES: Mr. Buczek, 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**

**-Finance**

Mr. Shah updated Council on the bond issue. The RFP was sent to eight financial institutions, all of which responded with rates ranging from 3.13% to 3.86%. Included in the RFP was the option to repay early if we were able to. The term that Chase offered was for 15 years at 3.13% and the first time we can repay is five (5) years from now. They offered a rate without the repayment option at 2.98%. He stated that he feels confident that will be able to repay early which is why they decided to go with the 3.13% with the option to repay early.

**-Engineering**

Mr. Filarski did not have a report.

**-Police**

Chief Wyant reported that \$29,727 came into the the Drug Task Force account, which included the \$10,000 disbursement and \$8,000 for the vehicle. We will be receiving another disbursement next year, but not until spring.

**Building Department**

Mr. Kowalczyk gave a recap of all the Building Department activity this year. There was a 24% increase in permits from November of the previous year and a 22% increase in contractor registrations. Inspections

have increased by 28%, which averages to about 3.8 additional inspections per day, every day this entire year. He updated Council on Commercial work that was done. Brady Middle School made renovations; new front entry to give it a more defined entry into the school and for security purposes, and a new band room and administrative offices. They are currently working with the architect on Phase 2, which will include new lighting and ceilings in classrooms and an update to the library. Luna Bakery went in this year and is great addition to the Village. There was an increase in generator and pool installations at residences this year. Mr. Kowalczyk stated that one house was completed last year in Chagrin Bluffs but they have broken ground on three more houses in November. There are five lots left to be built on but only one of those lots is yet to be sold. Four houses were built on Jackson Road and a house on Meadowhill was rebuilt after a fire. There are several new houses being built currently and numerous additions, remodeling, etc. He stated that the Special Planning Commission meeting last night was regarding Moreland Commons. The developers are working through their final approvals with the utilities right now, but are hoping to put a shovel in the ground in January. Mr. Kowalczyk also updated Council on Chagrin Falls Township, which has kept them busy with quite a bit of activity for only being three (3) streets. Mr. Stanard thanked Mr. Kowalczyk and stated that he has been a great addition to the staff.

**-Law**

Mrs. Lane did not have a report.

**Mayor –**

Mayor Renda pointed out that the State of Ohio considered not allowing us to tax SERPS anymore. The Northeast Ohio Mayors and Managers Group and the Cuyahoga County Mayor's and Managers Group started making calls this week and now that issue was taken out of the bill today.

**-Service**

Mr. DeWater was not at the meeting, therefore no report was given.

**Reports of Committees**

**Roads & Safety Committee**

The Roads and Safety Committee did not meet in December. The next regularly scheduled meeting will be in 2019.

**Facilities Committee**

The Facilities Committee did not meet in December. The next regularly scheduled meeting will be in 2019.

**BZA**

Mr. Stanard reported that the BZA met on December 3, 2018, and gave a report based on the meeting minutes, which are attached. They also held a Special BZA Public Hearing last night for the appeal of the rental application denial and change in non-conforming use at 37800 Jackson Road. The owner, Mr. Hardin-Levine wants to rent out two additional structures on his property. He gave a report based on that meeting; meeting minutes will also be attached. The next regular meeting will be in February 2019.

**Planning Commission**

Mr. Stanard reported that the Planning Commission met on December 3, 2018, immediately following the

BZA Meeting. He gave a report based on the meeting minutes, which are attached. There was also a Special Planning Commission Meeting held last night immediately following the Special BZA Meeting, for Axiom (formerly Omni) they requested a twelve-month extension for their final development plan, which was granted. They plan to start in January. The meeting minutes from that meeting will also be attached. The next regular meeting will be in February 2019.

## **ORDINANCES AND RESOLUTIONS**

### **Ordinance 2018-66** Introduced by Ms. Sturgis

AN ORDINANCE ADOPTING THE VILLAGE OF MORELAND HILLS CREDIT CARD POLICY AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that HB312 was signed into law in August of this year, and the Village needs to be in compliance with it. This ordinance will make us compliant by creating a credit card policy. The deadline to comply is February 2019. Mrs. Lane further explained that this ordinance talks about how credit card misuse can be subject to the Village pursuing legal prosecution for it and part of the bill has changed the criminal statute to include unauthorized purchases on the credit card by public officials and employees. It also requires that the Village designate someone as a compliance officer who will give quarterly update on usage to Council.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-66.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Stanard for passage of Ordinance 2018-66.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

### **Ordinance 2018-67-** Introduced by Mr. Stanard

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CHAGRIN VALLEY ENGINEERING, LTD. AND JEFFREY J. FILARSKI FOR VILLAGE ENGINEER SERVICES, AND DECLARING AN EMERGENCY.

Mr. Stanard stated that he is proud to introduce this ordinance and stated that both Chagrin Valley Engineering and Mr. Filarski are well prepared, organized, conscientious, dependable, accurate, thorough and complete. This is a one (1) year contract and the rates are modestly increased from 2018. He stated that it is an exceptionally good value. Mayor Renda explained to Council that they usually do two (2) year contracts, but because we did not give raises to the professional staff and department managers last year, we did one-year contracts at that time. We will continue with the two (2) year contract cycle again in 2019.

Mr. Stanard made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2018-67.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Stanard made a motion seconded by Ms. Sturgis for passage of Ordinance 2018-67.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-68 - Introduced by Mr. Fritz**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WALTER|HAVERFIELD LLP FROM THE JANUARY 2019 ORGANIZATIONAL MEETING THROUGH THE JANUARY 2020 ORGANIZATIONAL MEETING AND DECLARING AN EMERGENCY.

Mr. Fritz stated that this contract is for one (1), as the Mayor just explained. There is a 500 hour retainer but there is a 5% increase on the cost of the retainer and other fees which are dictated throughout the ordinance.

Mr. Fritz made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-68.

ROLL CALL:

AYES: Mr. Buczek, 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 2018-68.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-69 - Introduced by Mr. Richman**

AN ORDINANCE PROVIDING FOR THE CONTINUED EMPLOYMENT OF SANTO T. INCORVAIA AS PROSECUTOR, FIXING COMPENSATION, AND DECLARING AN EMERGENCY.

Mr. Richman stated that the Village is happy to have and keep Mr. Incorvaia as our Village Prosecutor. He explained that the prosecutor's job duties are laid out in the ordinance. Mayor Renda also pointed out that Mr. Incorvaia makes himself available whenever we need him, in fact he attended the Special Planning Commission Meeting last night.

Mr. Richman made a motion seconded by Mr. Fritz to suspend the rules for Ordinance 2018-69.

ROLL CALL:

AYES: Mr. Buczek, 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 2018-69.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-70 - Introduced by Mr. Fritz**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH STRAWSER CONSTRUCTION, INC. FOR CRACK SEALING, MICRO SURFACING AND CAPE SEALING FOR THE 2018 ASPHALT REPAIRS AND MAINTENANCE PROGRAM UNDER ODOT CONTRACT 101-G-19 AND DECLARING AN EMERGENCY.

Mr. Fritz stated that this ordinance is in the decrease amount of \$25,637, which is a result of contract reconciliation due to the project being completed.

Mr. Fritz made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-70.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Fritz made a motion seconded by Mr. Richman for passage of Ordinance 2018-70.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-71 - Introduced by Ms. Sturgis**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH RONYAK PAVING, INC. FOR THE 2018 ASPHALT REPAIRS AND MAINTENANCE PROGRAM AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that this ordinance is in the decrease amount of \$41,080.04, which is a result of contract reconciliation due to the project being completed. Mr. Filarski informed Council that the reason for a lot of the cost savings was because the Service Department did many of the repairs, which of course helped to reduce the cost.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-71.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Fritz for passage of Ordinance 2018-71.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-72 - Introduced by Ms. Sturgis**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH MATT WINTERS EXCAVATING FOR THE 2018 DRAINAGE AND CULVERT PROGRAM AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that this ordinance is for the decrease amount of \$260.75, which is a result of contract reconciliation due to the project being completed.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-72.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Stanard for passage of Ordinance 2018-72.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-73 - Introduced by Mr. Buczek**

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

Mr. Buczek stated that this transfer ordinance would sort out the accounts for the end of the year. The standard transfers were made along with a transfer to the House on the Hill fund. There was an advance from the General Fund to the Village Campus Improvements fund in the amount of \$980,000.

Mr. Buczek made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2018-73.

ROLL CALL:

AYES: Mr. Buczek, 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 2018-73.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-74- Introduced by Mr. Buczek**

AN ORDINANCE ESTABLISHING THE TEMPORARY APPROPRIATIONS FOR THE FIRST QUARTER OF THE FISCAL YEAR OF 2019 FOR THE VILLAGE OF MORELAND HILLS, AND DECLARING AN EMERGENCY.

Mr. Buczek stated that this ordinance sets the temporary budget for first three months of the year. We will be required to have the full year's budget passed by March of 2019.

Mr. Buczek made a motion seconded by Mr. Richman to suspend the rules for Ordinance 2018-74.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Mr. Stanard for passage of Ordinance 2018-74.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

**Ordinance 2018-75 Introduced by Mr. Fritz**

AN ORDINANCE FIXING THE COMPENSATION OF VARIOUS OFFICERS AND EMPLOYEES OF THE VILLAGE OF MORELAND HILLS AND DECLARING AN EMERGENCY.

Mr. Fritz stated that this ordinance is the salary ordinance for Village employees. Most of pay ranges have not changed, however, there are a few that have which will be made necessary by the motion that will be made after this ordinance regarding a rate increase for village employees (non-contract employees). Mayor Renda pointed out that many years ago, the Village did a salary study and feels that next year will be time to do so again. She told Council to let her know if they are interested in serving on that committee.

Mr. Fritz made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-75.

ROLL CALL:

AYES: Mr. Buczek, 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 2018-75.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Fritz stated that Council discussed giving employees either a 2.5% or a 2.75% raise and Mr. Shah provided us with the numbers for both. The difference between the two amounts is \$6,510. Council did their due diligence and checked into what other local municipalities were giving. He feels that the employees should be given a 2.75% raise.

Mr. Fritz made a motion seconded by Mr. Richman to approve a 2.75% salary increase for 2019 for Village officers and employees.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mayor Renda wanted to point out that both the Mayor and Council have not had a raise in at least twelve years and she feels that they need to have that discussion. She stated that while it is an uncomfortable discussion, it needs to be had. It would have to be done before Council runs again (start a new term) because we cannot have mid-term increases.

Mr. Buczek made a motion seconded by Mr. Richman to adjourn the Regular Council Meeting at 7:46pm.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

The meeting was adjourned at 7:46pm.

Attest:

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Sherri Arrietta, Clerk of Council

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Dan Fritz, Council President