

REGULAR COUNCIL MEETING

March 11, 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, Mr. Stanard, Ms. Sturgis

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

Mayor Fritz asked if there were any additions or corrections to last month's meeting minutes. Mr. Richman stated that on page 1 under "resident comments" the fifth line down states that it costs \$28 per homeowner, but it should be \$28.00 per \$100,000 valuation of their home, per year. Mr. Richman made a motion seconded by Mr. Emerman to approve the minutes of the Regular Council Meeting of February 12, 2020, as amended.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mayor Fritz stated that he is going to be presenting a proclamation to Robin and Kathy Schwind, but before he does, he gave a little background on his knowledge of Hogsback Hill Cemetery. He stated that he had often heard about it but never saw it, until one day he was travelling in a car on business with Mr. Stanard and Mayor Renda. The subject came up that he had never been there and Mr. Stanard told him that he really should see it, so they decided to take him there. He stated that he was amazed at what a gem we have in Moreland Hills in terms of legacy and history. Shortly after that, he started hearing the names, Robin and Kathy Schwind; Mayor Renda had told him how helpful they were with documenting and organizing the history associated with the cemetery, not to mention the labor they put into making improvements. When Mayor Renda mentioned that Rob works at Chagrin Hardware, he stated that he realized that he knew who he was and commented on what a great person he is.

Mayor Fritz thanked them for all they do and it has been an honor to view the site and see and hear about all the hard work they have been doing. He stated that along with help from Maureen Geck, MHHS President, he has drafted a proclamation in their honor to dedicate today, March 11, 2020, Robin and Kathy Schwind Day. At this time, Mayor Fritz presented the Schwinds with the proclamation. Maureen Geck, MHHS President, presented the Schwinds with the plaque that will be placed on the bench that they donated in their honor at the cemetery.

Reports from the Mayor and Other Municipal Officials

Mayor Fritz gave an update on COVID-19. He stated that it was brought up at the Committee of the Whole meeting and Councilman Spencer inquired about us having a proactive approach with the COVID-19 issue. Efforts had been underway before that and were certainly increased after Mr. Spencer's suggestion, to get educated and to determine the right way to handle things for Moreland Hills. What that encompasses are webinars and personal visits to the Cuyahoga County Board of Health where Health Commissioner, Terry Alan, has briefed Mayors and Managers on the epidemic in terms of real numbers and real data, absent any memes and claims on social media.

Mayor Fritz stated that the Village has decided that the Cuyahoga Board of Health is our number one contact and helps us with our messaging. He stated that together with Chief Wyant and Lt. Dietzel, they have drafted a four-level plan, based on some of the plans he has seen at the Chagrin Falls School District and Ohio University. There are levels of progression and we are hopeful that we stay at Level 1 and that it does not escalate. All indications are still that the common flu is more of a hazard to the typical healthy person; however, the Health Department is certainly impressing upon us that this is a little bit more serious than all the people at the other end of the hysteria spectrum who are saying that it is absolutely nothing. Therefore, we have decided that we are aligned with the Cuyahoga County Health Department and we are toward the lower end of the spectrum in hysteria in our messaging and keeping calm, but yet have a plan in place, if things should escalate. This four level plan assumes a number of things; Level 1, where we are right now, is Proactive Education - good hygiene practices and planning phases should we progress to Levels 2, 3, or 4. Those are defined by various combinations of employees having flu like symptoms but non-COVID-19, all the way up to Level 4, which was determined to be if someone here, God forbid, tests positive for COVID-19 and what we would do if that were to happen. The basis for this plan was information from the Cuyahoga County Board of Health. He stated that Department Heads are now looking at what they would do if we were to escalate beyond Level 1 and had both essential and non-essential services interrupted. He has asked all Department Heads to have a conversation with staff about how they would handle services for situations if a few employees were out sick to how those same services would be handled should their entire

department be quarantined, such as, what would we do for garbage pick-up or for policing if people were out sick? Mayor Fritz stated that of course we hope we never have to use these contingency plans but we need to be prepared in case we do need them.

Mayor Fritz stated that amongst the campus area, employees are spraying down surfaces multiple times during the day with an approved disinfectant, beyond what our contracted cleaning company is doing. The Police Department is establishing protocols with the N95 masks and CVD has kept us up to speed regarding 911 calls, which are being screened, so residents can be assured if our emergency services are responding, they are being advised before they get there if there is a high risk associated with the call. In that instance, the Police Officers are marking the driveway for the EMS workers and they are to be the only ones to go inside. Chief Wyant has been very responsive and reactive in thinking about the upper levels in terms of policing. The plan just gives us an idea of what we need to do if things were to escalate. He knows that Council has been concerned about it which he thinks has been great that, they too, have been proactive as well in asking the questions and encouraging this type of work to take place.

Mayor Fritz stated that he was contacted by Ms. Sturgis earlier who said she would like to have a conversation at the end of meeting about how we will move forward with meetings, should things escalate. He stated that Mr. Hanna will be able to advise on that and in fact, will be attending a webinar tomorrow specifically about public entities gathering.

Mayor Fritz asked that Council help in the messaging and stated that they would be best served to use the same information from a good, secure source, like the Cuyahoga County Department of Health. Anything that is posted in each department in the Village campus regarding COVID-19, all comes from the Cuyahoga County Department of Health. Department heads have been instructed that there is to be no posting of memes and to not deviate from our messaging from the Cuyahoga County Department of Health. Consistency and having a sense of stability during this time is going to be key in keeping employees happy, healthy and safe and of course, that same messaging goes to our residents through social media, website, and phone calls from them.

Mr. Emerman asked if Mayor Fritz could send out talking points so that they can remain consistent or provide a place to direct residents to get this information. Mayor Fritz answered that he will send the fact sheet that is currently posted in all Village campus building to Council tomorrow. That will give them an idea about our status on messaging regarding COVID-19 and he stated he will also send them the email that was sent to all department heads instructing them to focus on having those discussion with their employees on contingency plans and reminding them to wash

their hands for 20 seconds consistently, or using hand sanitizer. There are parameters that were instilled with this action plan such as if an employee goes home sick and feels better, they cannot come back to work until they are 24-hours symptom and fever free, without being on medication to reduce the fever. He stated that they are also discussing what happens if employees go home sick and whether they use their sick time and that answer is yes, because they are sick. He stated that he needs to discuss further with Mr. Shah and Mrs. Bossart, regarding what happens if an employee was mandated to go home, but it turns out they were not sick.

Ms. Sturgis asked if the state is looking into parameters around that so that employees are not penalized for sick time pay. Mayor Fritz stated that it was a great question but he had not heard anything about that and that the most recent message from the Governor today was focused around public gatherings. He has not yet seen anything relating to financials. He stated that he Mrs. Bossart spoke today about coding purchases for items relative to COVID-19 (masks, hand sanitizers, etc.) so that down the road if there is a reimbursement of these items, we will have a good record of them and be able to clearly identify what was purchased.

Mr. Emerman asked if the Village is also focusing on the resident aspect of things, i.e. is there a contingency plan if a large number of residents were to test positive? Mayor Fritz stated that he agrees that a lot of his discussion was employee/campus based, but to that end, we would need to go to the Board of Health as they are the experts in terms of messaging, should what Mr. Emerman suggested, actually happens. He stated that he will keep an eye on that and will adjust our messaging based on what the CCBH suggests we do if/when a resident is diagnosed. In speaking with the Police Department, he has also requested that Sgt. Tackla get in touch with the CERT Team to help deliver messages to some residents that may not have access to social media, etc.

Mayor Fritz informed Council that the closest COVID-19 case reported was a Rabbi who attended a Temple in Beachwood as a visiting lecturer. Some local police officers who provided security were in the same building as him, but were 40 feet away.

Mr. Spencer asked if the County had a communication procedure if someone in our Village were diagnosed. Mayor Fritz stated that they did not hit on that strongly and in fact, the last meeting he attended, was right before the cases were announced in Cuyahoga County. He stated that he does know that all the departments involved in the example he just gave, were immediately contacted so his understanding is that they will be proactive with that information, but he does not know the mechanism they are using for that. Mr. Spencer asked if there is any way to triage people or to reach out to those here in Moreland Hills who are most vulnerable or susceptible first. Mayor Fritz

stated that there are ways to do that and one of the things he thought about after mentioned the CERT Team was to reach out to the Orange Recreation Center to get the names of those that utilize the Senior Transportation, so we can identify some of those individuals that way. He asked Chief Wyant if they still had the Guardian Program, where auto calls were made as a welfare check on certain residents, and even though we do not have that service, we could use those old lists, although they may be outdated. The best recourse may just be Council members and other residents who have firsthand knowledge of residents that may be in need in their neighborhoods. Mayor Fritz stated that he likes the way Mr. Spencer is thinking and he will definitely look into that.

Service

Mr. DeWater reported that he and Mr. Sochinsky are working on finding a contractor or another community to haul our rubbish, as a contingency plan, if needed. He stated that they do also have mutual aid agreements with other communities in place already.

Engineer

Mr. Filarski reported on the Route 87 slide repair. The contractor set the first auger pile today and he has pictures and video if anyone wants to see them.

Police

Chief Wyant stated that as Mayor Fritz has discussed, they are doing their part at the Police Department. He has posted guidelines in his department that have been discussed with the Mayor. He stated that they already have mutual aid agreements established with surrounding communities, so he has those resources, should they have the need for additional man power. Chief Wyant stated that he has also reached out to the State Highway Patrol and the County for assistance for additional resources, should they need to go further out for assistance. He stated that it was a smooth transition to get those resources in place. Chief Wyant stated that they are looking for more volunteers for the CERT Team, should Council know anyone interested, please email Sgt. Tackla. There is also a CERT application available on the website. Lastly, Chief Wyant reported that the old 2014 Ford Taurus sold on auction for \$4,343.00, plus an administrative fee on top of that that the buyer has to pay.

Finance

Mr. Shah reported that his projections, as far as income tax, may not be too far off based on what is currently happening. He stated that hopefully it recovers, but feels that is why it is always important to budget low.

Law

Mr. Hanna reported on the retainer hours. He stated that the expectation per the contract would be 41.67 hours per month. In January he billed for 21 hours and in February for 45 hours, so they are currently tracking slightly below that.

Reports of Committees -

Roads & Safety Committee

The Roads and Safety Committee met March 3, 2020 and Ms. Sturgis gave a report based on the meeting minutes, which are attached. The next regularly scheduled meeting is March 24, 2020 at 8:00am.

Ms. Sturgis also mentioned that the Service Department discussed increasing the fee for the Special Pick-Up services. Past legislation allowed for one free and one additional pick up for the fee of \$25.00. She stated that Mr. DeWater recommended that the number of special pickups be increased to two free pick-ups and charge \$25.00 for any additional pick-ups, with no limit to the number of additional pick-ups. Mayor Fritz interjected that since the committee meeting; Mr. DeWater has looked into the figure a little more to include increases in labor costs so he thinks there is an updated figure for special pickups. Mr. DeWater stated that it currently costs \$51.95 per pickup. He has had discussions with Mayor Fritz and Mr. Shah about it and the \$25 fee has been in place since the 1980's. It was determined that we will stay with 2 free pick-ups, and will allow for up to 3 additional pickups charged at \$50 each. Mr. DeWater stated that his department has also observed that some residents will say they missed their normal rubbish pickup and we will have to go back and pick it for a fee of \$25. He stated that they want to provide services to our residents but they also have to cover their costs, which is why they need to up the fee. Mayor Fritz has the authority to make changes to this policy as per ordinance. Mayor Fritz stated that it is administrative, but if Ms. Sturgis prefers, she can put it back on the committee agenda since the information has changed. Ms. Sturgis agreed to discuss it further in committee.

BZA

The Board of Zoning Appeals met on March 2, 2020 and Mr. Stanard gave a report based on the meeting minutes, which are attached. The next meeting will be April 6, 2020 at 6:00pm.

Planning Commission

The Planning Commission met after the BZA on March 2, 2020 and Mr. Stanard gave a report based on the meeting minutes, which are attached. The next regularly scheduled meeting is April 6, 2020 immediately following the BZA meeting.

Facilities Committee

The Facilities Committee met on March 3, 2020 and Mr. Emerman gave a report based on the meeting minutes, which are attached. The next regularly scheduled meeting will be on March 24, 2020 at 8:30am.

ORDINANCES AND RESOLUTIONS

Ordinance 2020-20- Introduced by Mr. Stanard

AN ORDINANCE ESTABLISHING THE PERMANENT APPROPRIATIONS FOR THE FISCAL YEAR 2020 FOR THE VILLAGE OF MORELAND HILLS, AND DECLARING AN EMERGENCY.

Mr. Stanard stated that Mr. Shah gave a thorough presentation at the Committee of the Whole Meeting last week, complete with a slide show which has since been emailed to Council. In the packet for that meeting, Council was also given the breakdown of each individual account in terms of what constitutes the summary sheet, which is what Council is looking at tonight.

Mr. Stanard made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2020-20.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Mr. Stanard stated that he feels that Council had a thorough discussion at the Committee of the Whole meeting last week and since then, have had a chance to review the summary of accounts. He stated that Mr. Shah and Mrs. Bossart do a tremendous job of keeping Council advised. He has also observed that over the years, Mr. Shah is in the habit of decreasing the expectation of revenue and increasing the expectation of cost, based on the prior year, which has served them well. The extra money is there in case it is needed which is an appropriate approach.

Mrs. Kozminski-VanderHart thanked Mr. Shah and stated that this is not something that she ever deals with, but Mr. Shah is very clear and thorough which made it easy for her to understand.

Mayor Fritz thanked Mr. Shah as well and stated that he does an outstanding job for the Village.

Mr. Shah's ability to plan has worked out well for our Village. Mayor Fritz also thanked Council for doing their due diligence by asking good questions at the Committee of the Whole meeting, making it a very productive meeting.

Mr. Stanard made a motion seconded by Ms. Sturgis for passage of Ordinance 2020-20.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Ordinance 2020-21-Introduced by Mr. Spencer

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

Mr. Spencer stated this ordinance is a financial ordinance to move money from one fund to another. There was one transfer from the General Fund to the Sanitary Sewer Maintenance Fund in the amount of \$140,000. Later in the year, that money will come back to the Village and be put back in the General Fund.

Mr. Emerman stated that they discussed at the Committee of the Whole meeting last week that the sewer fees pay for the sewer maintenance work. He asked if this is essentially a loan from the General Fund to the Sanitary Sewer Maintenance Fund, which then is paid back with the sewer fees. Mr. Shah answered yes and explained that there are assessments on properties that have sewer connections. The assessments come in twice a year, in April and September. The advance from the General Fund helps them pay for it in the meantime, however it should be able to repay it in April.

Mr. Spencer made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2020-21.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Mr. Spencer made a motion seconded by Mr. Richman for passage of Ordinance 2020-21.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Ordinance 2020-22 - Introduced by Ms. Sturgis

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) WESTERN STAR 4700 PRL-20T CAB AND CHASSIS FOR THE SERVICE DEPARTMENT FROM VALLEY FREIGHTLINER & WESTERN STAR PURSUANT TO THE STATE DEPARTMENT OF TRANSPORTATION TRUCK PURCHASING CONTRACT, WAIVING COMPETITIVE BIDDING AND DECLARING AN EMERGENCY.

Ms. Sturgis stated this was discussed in committee. The Service Department is in need of a cab and chassis, which was planned for in the budget. The amount is not to exceed \$128,000 through Western Star.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2020-22.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Mr. Stanard asked if this was their first Western Star. Mr. DeWater stated that in 2004, Western Star was part of the Stirling family and they purchased a Stirling back then, which they sold in 2018. He stated that he got a long life out of that truck. After doing research, he has decided to go back to a heavier chassis and a Cummings diesel engine. Mr. Stanard stated that they have an excellent reputation. Mr. Richman stated that he appreciated all the details provided by Mr. DeWater tonight. It makes it easier to see exactly what they are purchasing.

Ms. Sturgis made a motion seconded by Mrs. Kozminski-VanderHart for passage of Ordinance 2020-22.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Ordinance 2020-23- Introduced by Ms. Sturgis

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE UP-FITTING EQUIPMENT FOR THE NEW WESTERN STAR 4700 PRL-20T CAB AND CHASSIS FROM CONCORD ROAD EQUIPMENT MFG., INC. THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that they just passed the ordinance for the cab and chassis and this ordinance is for the equipment upfitting for that truck. The work will be done by Concord Road Equipment for an amount not to exceed \$106,159.49

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2020-23.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Stanard for passage of Ordinance 2020-23.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Ordinance 2020-24 Introduced by Ms. Sturgis

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) RAM 3500 4X4 REGULAR CAB PICK-UP TRUCK FOR THE SERVICE DEPARTMENT FROM JUNCTION AUTO, AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that Mr. DeWater received quotes from three (3) local Dodge Ram dealers, as

previously discussed in committee. This truck will replace the current pick-up truck, whose replacement had been put off since 2015. Two (2) bids were received and the lowest bid came in at \$35,200 from Junction Auto.

Ms. Sturgis made a motion seconded by Mr. Emerman to suspend the rules for Ordinance 2020-24.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Richman for passage of Ordinance 2020-24.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Ordinance 2020-25- Introduced by Mr. Emerman

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A GODWIN CD100S PUMP WITH CRITICAL SILENCING FOR THE PUMP STATION IMPROVEMENT FROM XYLEM PUMP RENTAL AND SALES THROUGH THE U.S. GOVERNMENT'S GENERAL SERVICES AGENCY PURCHASING PROGRAM; WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.

Mr. Emerman stated that during his Facilities Committee report he discussed the decision about purchasing the emergency pump with or without the silencer. This ordinance is for the unit with the silencer. The need for this pump was discussed several months back because of the pump station failure that occurred. This emergency pump will help mitigate future failures and maintain service.

Mr. Emerman made a motion seconded by Mrs. Kozminski-VanderHart to suspend the rules for Ordinance 2020-25.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Mr. Emerman made a motion seconded by Mr. Richman for passage of Ordinance 2020-25.

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

Mayor Fritz thanked Council for considering and approving that ordinance. He understands that there is an additional cost but he feels Mr. Emerman explained the need for it very well. There have been complaints in the past where residents near the Jackson Valley Pump Station could hear it running all night, so he feels that is another reason to spend a little more to help mitigate some complaints and concerns of residents.

Ordinance 2020-26- Introduced by Mrs. Kozminski-VanderHart

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH C&J CONTRACTORS, INC. FOR THE DEMOLITION OF THE HOUSE LOCATED AT 3800 CHAGRIN RIVER ROAD AND DECLARING AN EMERGENCY.

Mrs. Kozminski-VanderHart stated as discussed at committee, this ordinance is to accept a bid with C&J Contracts in the amount of \$29,295 for the complete demolition of the House on the Hill located at 3800 Chagrin River Road. The documents submitted with the ordinance were very detailed. This one is a little different because this bid came through in October of 2019 with the work supposed to have commenced in December 2019 but there were permits needed from the state and grant approvals before the work could start. We have since received all the appropriate permits, approvals, and requirements. Mrs. Kozminski-VanderHart asked if the ordinance needed to be amended because the date in the documents states October 2019. Mr. Hanna stated that it does not because the date is not in the body of the ordinance itself, just in the supporting documentation.

Mrs. Kozminski-VanderHart made a motion seconded by Mr. Stanard to suspend the rules for

Ordinance 2020-26.

ROLL CALL:

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

MOTION CARRIED

Mr. Richman stated that he noticed that it states that an asbestos survey will be performed but in the memo in the work description as far as demo and disposal to an EPA facility, it states that they will not dispose of asbestos. He asked if that is separate. Mr. DeWater answered that he is hoping that no asbestos will be found after they do the survey, however, if they do, they will bring it forward to us for an additional cost.

Mr. Stanard asked if C&J indicated an expected duration of the project. Mr. DeWater stated that they said it would take them less than a week. Mr. Stanard stated that while they could be done before the Community Kids Fishing Day, there will be no restrooms accessible to the public. Mr. DeWater stated that there are currently no facilities available because the electric, gas, and water have all been shut off already. Chief Wyant informed Mr. Stanard that he has arranged for portable facilities in the past so he would anticipate having them again.

Mr. Stanard asked if it is required for C&J to also get an air quality permit or do they just have to inform them to control the dust. Mr. DeWater stated that he thinks that just have to tell them to make sure to control the dust.

Mr. Emerman stated that one of the things discussed at committee was that it would be good to have this completely done before or wait until after fishing day for safety concerns and aesthetics.

Mr. Spencer asked how the decision was made to raze the house. Mayor Fritz stated that the overriding reason was cost. He stated that they looked into transforming it into lodge type facility, but it was significantly expensive. Mr. DeWater stated that the price received was \$750,000.

Mrs. Kozminski-VanderHart made a motion seconded by Mr. Emerman for passage of Ordinance 2020-26

ROLL CALL:

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

NAYS: NONE
MOTION CARRIED

Ms. Sturgis stated that she had a motion to make regarding the 2020 Road Program, which was discussed at the February Roads and Safety Committee.

Ms. Sturgis made a motion seconded by Mr. Richman to allow the Village Engineer to develop specifications and advertise for bids for 2020 asphalt and pavement maintenance program.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Miscellaneous

Mayor Fritz stated that he had spoken to Ms. Sturgis about COVID-19 and how it would affect Council and their meetings. He asked if Council was comfortable discussing this now or if they would prefer to wait until Mr. Hanna has the conference call about it and provides them with feedback. They decided to wait for Mr. Hanna's feedback first.

Mayor Fritz stated that he knows Ms. Sturgis was concerned about efficiency in government and things shutting down in terms of their meetings as well as operationally. Ms. Sturgis stated that was correct and that she did not know if under the state of emergency, special provisions would be in place to allow municipalities to operate in different ways. Mr. Hanna stated that is definitely something to keep an eye on and there has been a lot of discussion about that right now, such as not being able to vote by phone or electronically. Theoretically, you can have a meeting where you deliberate and discuss matters, but not take action. He stated that he is sure that is a question that will come up tomorrow on that conference call, as well as open meeting issues that may come up if it comes to a point where there are efforts to discourage gatherings of people; you are not going to want non-essential personnel being present where they do not need to be and have the audience be as limited as possible. Right now, the open meetings laws do not permit a meeting to occur without allowing the audience to attend.

Mr. Hanna stated that he thinks all these things are in progress and hopes to have answers for them after the call. Mayor Fritz stated another question is if a remote teleconference meeting would be

allowed. Ms. Sturgis asked Mr. Hanna if the Ohio Sunshine Laws currently have permission for something like that. Mr. Hanna answered that they do not. He stated that there are Ohio Revised Code (ORC) provisions that speak to the emergency authority of local governments to enforce quarantine and things like that if the Department of Health issues them. As a Charter municipality, the Village has some direct constitutional authority to respond to local conditions also as a general matter, that does not allow an override of the Sunshine Laws. Mr. Hanna stated that he feels that is a question that will be coming up more and more and he informed them that Shaker Heights issued a press release today on their website that most of their meetings are cancelled through the end of April. He stated that depending on how this news breaks, they will probably see more of that. Mr. Stanard suggested that the Law Director also keep track of his time related to COVID-19 in case there is compensation available later.

Mr. Richman stated that he wanted to mention that he appreciates the preparedness of Council and their participation, not only in Council Chambers but representing the community, becoming members of the Historical Society, and going to the Representative Robinson Town Hall meeting. He stated that he appreciates the Mayor setting up that meeting as it was very informative. Mr. Richman stated that he continues to look forward to working with them and feels they have had a great start to the year.

Mrs. Kozminski-VanderHart asked if there was going to be a similar meeting with Senator Dolan. Mayor Fritz stated that there will be, in the spirit of being non-partisan, he extended the same offer for a town hall meeting to our State Senator, Matt Dolan. He has responded with some potential dates in April or May, which will be finalized soon.

-Resident Comments

Erin Dweik, resident on Chagrin Blvd. stated that she understands that plans for Moreland Commons will be coming before the Planning Commission and since this is a new conservation district that has very specific plans, she hopes that this is going to be taken seriously. She stated that this is not funny and that most of the modifications are on the border closest to her home so she is asking to please be mindful of them and do their due diligence that is necessary because there are a lot of rules and regulations that are serious.

Mayor Fritz stated that he does not think that anyone thinks this is funny. If anything, Council has been more proactive than other areas like Chagrin Bluffs and other newer constructions that are taking shape. He stated that they have asked that he immediately notify them of any variances coming through, however, there were none so there was nothing to report. Council, who is

collectively outside of Planning, have also been asked to be kept advised of any variance requests, but again, we have been pretty clear that we do not expect to see them. Mrs. Dweik asked to be notified, as a neighbor, of any variance request. Mayor Fritz stated that it is still his understanding that as a neighbor, she would be notified of a variance request per our Code.

Mrs. Dweik asked if the same goes for “modifications,” because she and Bryan Stone, Axiom, have gone back and forth about the difference between a “modification” and a “variance.” She stated that Mr. Stone is telling her that these are “modifications.” Mr. Filarski stated that neighboring adjacent residents are notified of variance requests. He asked Mrs. Dweik if she is referring to architectural modifications. Mrs. Dweik stated that Mr. Stone just keeps telling her to stop saying they are variances, they are modifications. Mr. Filarski stated that only variance notices are sent as they deal with zoning. Mrs. Dweik stated that she will take it up with Mr. Stone.

Mayor Fritz stated that he wanted to further his point that not only has Council requested to know about any variances that should come through, which he will advise them of immediately, they have also asked to be advised when submittals arrive so that they can stop in and look at them. He stated that he thinks that this body has been very responsive and is keeping their eyes on the project, as well as doing their due diligence to ask for any variance requests. Mrs. Dweik stated that Mayor Fritz knows how much she has been involved in this and stated that the over- excavation that she talked about in January, has killed her trees. She stated that she is not blaming anyone. She has spoken to various Council members about this, and explained that she is very involved in this, because it is happening to her. She has been involved with this for the past five (5) years, which has made her look into other things, as well.

Mrs. Dweik asked about 50 Addison Lane, which she previously inquired about whether it was located in a flood zone. She stated that that property came to the Planning Commission and then she never heard about it again, so she asked if that means it was approved and if there are other channels to go through besides the meetings that she shows up to. Mrs. Dweik asked if there were any other way that it was approved anywhere else or if 50 Addison Lane got approval at the Planning Commission the night she was there.

Mrs. Kozminski-VanderHart informed Mrs. Dweik that 50 Addison Lane only came before the board to get ideas and thoughts and there were no approvals made that night. She stated that they will have to come back before the board for approval, but they have not done so as of yet.

Mrs. Dweik asked about the Parks Commission, which she has brought up before. In the

ordinance, it says that an elector who is on this committee “cannot be holding other municipal office.” She asked what that means. Mayor Fritz asked her to read the specific language for clarification. Mrs. Dweik stated that in Ordinance 2009-40, Section 157.03 “Members; Terms” it states that “8 electors not holding other municipal office.” Mrs. Dweik stated that Mr. Janke is on both Planning Commission and the Parks Commission. Mayor Fritz explained that Mr. Janke’s membership on the Planning Commission is as a community representative and he is not an elected official. Mrs. Dweik asked what “not holding other municipal office” means. Mayor Fritz stated that Mr. Janke is not an elected official; he is an elector, which is a resident member of the committee. Mrs. Dweik stated an elector does not fall under the category of a Council member or an employee, so she asked what other municipal office they would be holding. Mayor Fritz stated that there are members of these committees that are elected officials, so eight (8) resident members are appointed by the Mayor, on alternating terms, and he cannot appoint other elected officials amongst those eight (8). Mrs. Dweik asked again, why the ordinance states “not holding other municipal office.” She stated that she will figure out and will just keep asking until she gets the answer. Mayor Fritz stated that she should look at it this way, there are eight (8) residents on the Parks Commission that are not elected officials in the Village of Moreland Hills. Mrs. Dweik stated that is correct, but that one of those members is on another commission. Mayor Fritz stated that is correct, but he is on that commission as an un-elected member. Mrs. Dweik asked if that means that he is an elector, “not holding other municipal office.” Mayor Fritz answered yes, because he is not an elected official, he is not being paid for his services on Planning or Parks; he is a resident member of those committees. Mr. Hanna agreed with Mayor Fritz.

Mrs. Dweik stated that her last comment is regarding the House on the Hill. She stated that she had to read through 11 years of Parks Commission minutes. She stated that it is very clear from those minutes, that they always planned to demolish that house from the beginning. As a member of the Historical Society, she was surprised that the quote to transform the house was so high. When they made the house for the WRLC, they had the original structure and then added on to it and the project was under budget. Mayor Fritz stated that when they got that quote, a lot of that was the motivating by factor. Mrs. Dweik stated that she knows it is a done deal but she has to go on record to say that she thinks there is a better way to do it where they could keep some of the history and build around it. Mayor Fritz stated that her inquiry would be noted on record. It has been an evolving project and has been through numerous commissions over and over, there has been resident input and Council’s input as well. He stated that they are quite proud of where they finally landed with the project and are looking forward to it. Mrs. Dweik stated that it is just a shame that they could not retain some of that structure. Mayor Fritz stated that he would agree with her because going back, before he knew the amount, that would have been his goal too. He

stated that he thinks they all would like to be able to maintain whatever part of it that they can. Sometimes with the degradation and requirements involved with the final price tag, it is just not a consideration for a community that has had hundreds of thousands of dollars in estate tax as well as local government funding taken away. Mrs. Dweik asked if he was aware that the James A. Garfield Cabin roof got replaced by volunteers. Mayor Fritz stated that he was but the house project his quite a bit more extensive than replacing a roof. Mrs. Dweik stated that she understands but she just had to go on record saying that.

Dr. Cleophas d'Auvergne, resident on Windrush Drive, stated that he had an observation of concern regarding finances due to the instability of the COVID-19 issue. He stated that revenues might be slightly lower and asked if the Village has sufficient reserves to cover those debts. Mayor Fritz stated that prudent financial management by the GFO dictates that 25-30% of our operating budget should be in reserves, and we are higher than that. Mr. Shah stated the GFO says 2 months of reserves are sufficient but it depends on the size of the community and the nature of the revenue coming in. Since Moreland Hills relies very heavily on income tax, we have always projected a lower amount than anticipated. In spite of that and all the expenditures that we have budgeted for; we will have 35-40% in our reserves based on both operating funds. In addition to that, we also have an unencumbered General Fund balance that is almost equal to that.

Mr. Richman explained that the budgeted income tax is \$600,000 lower than last year, which is very conservative. Mayor Fritz stated that he understands the concern when a resident hears 10%, but as you heard earlier, Council complimented Mr. Shah on the way he plans in a conservative manner. Mr. Spencer stated that a budget never happens exactly as planned and we will add to the reserves by the end of the year, with that conservative revenue projection. If that projection is a little lower, we may add less to the reserves. He stated that certainly other things can happen, but he thinks this Council will take any actions they could to try to manage that budget. It is a pretty conservative and well-reviewed budget.

Mr. Spencer asked about the NOCCA dinner on the 19th. Mr. Richman stated that he had sent an email to Council because asking if they wanted to join the organization this year because generally they have been underwhelmed it, not to mention that both he and Mrs. Arrietta could not get a return call and their website was not working when trying to reach out for information. He stated that they ultimately decided not to commit to the expense of joining this year, but if anyone sees a meeting they want to attend, we can arrange for them to go.

Mr. Richman made a motion seconded by Mr. Emerman to adjourn the Regular Council Meeting at 8:44pm

ROLL CALL:

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

NAYS: NONE

MOTION CARRIED

The meeting was adjourned at 8:44pm.

Attest:

Sherri Arrietta, Clerk of Council

Steve Richman, Council President