

REGULAR COUNCIL MEETING
July 11, 2018
MINUTES

The Regular Council Meeting of the Village of Moreland Hills was called to order by Mayor Renda at 7:30pm, 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, Prashant Shah, Treasurer, Ted DeWater, Service Director, Chief Kevin Wyant, Lt. Todd Dietzel, Sherri Arrietta, Clerk of Council

Mr. Buczek made a motion seconded by Mr. Richman to approve the minutes of the Regular Council Meeting of June 13, 2018.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Reports from the Mayor and Other Municipal Officials

-Mayor

Mayor Renda reported that she and Mr. Stanard met with Jessica Gift regarding the Parks Commission. There will be a notice in the newsletter for those interested to apply to join that commission. She and Mr. DeWater met with the architects, LaBella, for the Village campus projects today. LaBella provided preliminary drawings as well as a work schedule.

-Finance

Mr. Shah did not have a report.

-Police

Chief Wyant did not have a report.

-Engineering

Mr. Filarski reported that after being unsuccessful in receiving a grant from the OPWC last year, we were successful this year for the slide repair on State Route 87. Since it was an emergency, we were able to get a \$441,000 grant plus \$200,000 in loans with zero interest. He stated that we should be receiving the Phase I scope of work soon.

-Service

Mr. DeWater reported on the meeting he and the Mayor had with LaBella. LaBella is time crunching the schedule and should have plans to the Village by July 30. We should receive the bidding documents by the third week of August.

-Law

Mrs. Lane did not have a report.

Reports of Committees

BZA

Mr. Stanard reported that the BZA met on July 2, 2018, and gave a report based on the meeting minutes, which are attached. The next regular meeting will be on August 6, 2018.

Planning Commission

Mr. Stanard reported that the Planning Commission met on Monday, July 2, immediately following the BZA Meeting. He gave a report based on the meeting minutes, which are attached. Two of the items were Conditional Uses Certificate requests, both of which were recommended to Council; one was for a Streambank Restoration project on Falls Road and the other was for outdoor seating at Luna Bakery. The next meeting will be on August 6, 2018.

Approval of Bonds, Contracts, Plats, Etc.

Greenblatt Residence

3830 Falls Road

Conditional Use Certificate –

Streambank Restoration and Reinforcement in a Riparian Area-
Section 1173.07(e)(2)C

Mr. Stanard explained that a Public Hearing was held at the Planning Commission Meeting. The commission recommended that Council approve the Conditional Use Certificate for a streambank restoration and reinforcement project at 3830 Falls Road. There is some erosion along the streambank and the appropriate fix is to extend an existing gabion wall. The Village Engineer thoroughly reviewed it and has made some comments to the applicant. He stated that an Army Corps of Engineers or Ohio EPA permit is only necessary if the work is not above the ordinary high water mark, but because it is above that mark, a permit is not required. A Flood Hazard Development permit is, however, required, and is issued by the Village Engineer.

Mr. Stanard made a motion seconded by Mr. Buczek to approve the Conditional Use Permit to allow a streambank restoration and reinforcement project in a riparian area located at 3830 Falls Road, contingent upon final review and approval by the Village Engineer.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Luna Bakery

34105 Chagrin Blvd, Suite E

Conditional Use Certificate –

Restaurant Outdoor Seating

Section 1177.09

Mr. Stanard explained that the owners of Moreland Towne Centre and Luna Bakery requested outdoor seating in front of Luna Bakery. They intend to leave the tables and chairs in place during months of good weather. The tables and chairs are placed on the sidewalk; Mr. Stanard showed a picture of the tables and chairs in that location. All the other tenants were in favor of it, as was the Planning Commission. Mrs. Lane informed Council that the Code requires that a sketch/drawing of the tables and chairs be submitted as part of the application. She explained that there was one submitted, however, it depicts the tables and chairs set in a specific space. The tenant explained that they are actually spread out a little further than what is shown on the sketch, therefore, the approval needs to make note that the location of the tables and chairs do not have to be exactly in the positions shown on this drawing.

Mr. Stanard made a motion seconded by Mr. Buczek to approve the Conditional Use Certificate to allow outdoor seating at Luna Bakery located at 34105 Chagrin Blvd., Suite E, which may or may not be in the specific location and configuration shown on the submitted sketch.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Facilities Committee

Mr. Richman reported that the Facilities Committee did not meet in July. The next regularly scheduled meeting is July 31, which will be the August meeting, at 8:00am.

Roads & Safety Committee

Mr. Fritz reported that the Roads and Safety Committee did not meet in July. The next regularly scheduled meeting is July 31, which will be the August meeting, at 7:30am.

ORDINANCES AND RESOLUTIONS

Ordinance 2018-15 -As Amended (Second Reading) - Introduced by Mr. Fritz

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF MORELAND HILLS OF A PROPOSED AMENDMENT TO ARTICLE IX, SECTION 4 OF THE CHARTER OF THE VILLAGE OF MORELAND HILLS, AND DECLARING AN EMERGENCY.

Mr. Fritz stated that this Ordinance can be put on Third Reading and once approved, needs to be sent to the Board of Elections. The amended ballot language is included on this ordinance, but no other changes have been made to it.

Mr. Fritz made a motion seconded by Ms. Sturgis to place Ordinance 2018-15 on third reading and for passage.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2018-28- Introduced by Ms. Sturgis

AN ORDINANCE ENACTING NEW SECTION 505.011 AND AMENDING CERTAIN SECTIONS OF CHAPTER 505, TITLED "ANIMALS AND FOWL," OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF MORELAND HILLS AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that the state has changed the laws regarding animals and fowl. The Village needs to amend Chapter 505 to include these changes. This new section no longer includes dog breed specific bans.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-28.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

It was suggested to make the following changes: In Section 505.2(a) the word "shall" should be changed to "may." In Section 505.02(b), the time-period to keep both a registered and unregistered dog was suggested to be changed back to what it currently is in the Code. In Section 505.01(a)(6)B(ii), the word "adult" should be added before "person" and the word "criminal" should be added before the word "trespass."

Ms. Sturgis made a motion seconded by Mr. Buczek for passage of Ordinance 2018-28, as amended with the changes noted above.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Resolution 2018-29 - Introduced by Mr. Emerman

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET OF THE VILLAGE OF MORELAND HILLS FOR THE FISCAL YEAR 2019 AND DECLARING AN EMERGENCY.

Mr. Emerman stated that this resolution is a requirement from the county. It lists the funds the Village maintains, how many mills we will be collecting from those funds, and how much we are requesting from the county to transfer to us.

Mr. Emerman made a motion seconded by Mr. Stanard to suspend the rules for Resolution 2018-29.

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. Stanard for passage of Resolution 2018-29.

ROLL CALL:

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

Ordinance 2018-30 - Introduced by Mr. Emerman

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

Mr. Emerman stated that the amendments are as follows: Drug Trafficking OT is for the officer, who is part of drug task force, which the Village is reimbursed for. Capital was a reduction because the costs came in lower than expected for expenses. The next two line items are a transfer from Contract Services to the House on the Hill for professional service contract. Transfers were made from the General Fund to the Police Pension, Police and Fire Levy, and Drug Trafficking fund, which are typical. The transfer to the Property Improvements fund was for work that will be done at the House on the Hill. Advances from the General Fund to the SCM&R is for the State Route 87 project. The reason this is an advance and not a transfer is because we will be reimbursed through the various funding sources, and that money can go to the General Fund.

Mr. Emerman made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2018-30.

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. Stanard for passage of Ordinance 2018-30.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Resolution 2018-31 - Introduced by Mr. Fritz

A RESOLUTION APPROVING THE DEVELOPMENT OF STATE BICYCLE ROUTE 80 BY THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.

Mr. Fritz stated that the American Association of State Highway and Transportation Officials (AASHTO) is designating certain corridors for bicycle routes across the country. ODOT has designated a series of corridors crossing Ohio to be developed as various State Bicycle Routes, one of which is in Moreland Hills. The area they are referring to is on Miles Road and heads north onto River Road, which would be designated as State Bike Route 8. The Village has to give its blessing for the route to be designated, so that it can be mapped and signed. There will be no changes in the lane lines and it is more for through bikers, not recreational use.

Mr. Fritz made a motion seconded by Mr. Buczek to suspend the rules for Resolution 2018-31.

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 Resolution 2018-31.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Miscellaneous

Mayor Renda stated that when they passed the Chapter for Small Cell Facilities in the Right-of-Way, last month, they were also required to pass an ordinance for Design Guidelines. Since they did not have time to get it on the agenda, she decided to adopt the guidelines administratively. Mayor Renda stated that she took the information provided by Bill Hanna and formatted it differently. She will provide the document to everyone to read over and offer any input that they may have. She stated that Bill Hanna had suggested that she adopt them administratively because it will make them easier to change if needed, instead of waiting for it to go before Council. Council agreed that it made sense to do it that way.

Council discussed what a great event the Community Kids Fishing day was and that they were impressed by the turnout. Mayor Renda agreed and stated that it was discussed with Ms. Jessica Gift how much potential there is for kids at the House on the Hill/Potts Pier. Ms. Gift wants to create some programs for kids. Mayor Renda commented that Ms. Gift has a lot of energy and experience and she hopes that they can all support her and her ideas.

Mr. Buczek announced that as of a few days ago, he has served on this Council for two decades and stated how proud and happy he is to be here.

Congratulations were given to Mr. Emerman on the birth of his second baby.

Mr. Buczek made a motion seconded by Mr. Stanard to adjourn the Regular Council Meeting at 8:17 pm.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

The meeting was adjourned at 8:17pm.

Attest:

Sherri Arrietta, Clerk of Council

Dan Fritz, Council President