

REGULAR COUNCIL MEETING

April 12, 2017

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. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

Also Present: Aimee Lane, Law Director, Jeff Filarski, Village Engineer, Ted DeWater, Service Director, Todd Dietzel, Police Lieutenant, Sherri Arrietta, Clerk of Council

Mr. Buczek made a motion seconded by Mr. Stanard to approve the minutes of the Regular Council Meeting of March 8, 2017.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Reports from the Mayor and Other Municipal Officials

Law

Mrs. Lane stated that at the last meeting there was an inquiry from a resident, whether there would be an ability for the Village to offer loans with either no interest or low interest, if the decision is made to pursue the replacement of septic systems in the WEB area. She stated that that would be against the Constitutional provisions that prohibit a public entity from lending its aid and credit for private interest or private purposes.

Mrs. Lane informed Council that in doing further research, she is convinced that it would be a violation of that provision. There are certain cases and Ohio Attorney General opinions where public entities issued bonds to make funds available for loans to be offered; in one particular case, it was to a developer of a low-income housing development. That was deemed to violate that provision of the Constitution.

She stated that separate from the Constitutional prohibition, there is also the Ohio Supreme Court Case Law that states that public funds are to be expended for public purposes, with the exception of incidental private benefit. It goes on to state that there is no precise definition of what a public purpose is and that it is largely within the discretion of the legislative authority to make that determination, but it did call out that any private benefit should be incidental. It would appear as though the Village getting into the business of offering loans to its' residents would be more than just an incidental private benefit.

Mrs. Lane stated that the second issue she wanted to discuss was the possible Code amendment with respect to medical marijuana that the Planning Commission looked at in January. In June 2016, the state enacted legislation to authorize medical marijuana in Ohio. They are still working on the program but it is expected to be set up by September 2018. There are some final rules that would regulate cultivators, processors, and dispensaries and there are also rules for doctors, patients, and caretakers. The most pertinent to the Village would be the regulations regarding dispensaries, as the Village does not have an industrial or manufacturing district, which is where you would find cultivators and processors establishing a business. It is possible that a medical marijuana dispensary could locate in our retail business district. The State law does specifically permit a municipality to outright prohibit those uses in their zoning districts. She stated that several communities have done that, most recently Highland Heights. Their legislation prohibits cultivating, processing, or retail dispensing of medical marijuana in all their zoning districts. Hamilton Ohio, in Southern Ohio, has also passed similar legislation, and actually some larger communities have put provisions in their code to make it desirable to locate to their communities.

Mrs. Lane pointed out that under the current rules, there can only be 60 dispensaries throughout the entire state. Additionally, they cannot be located within 500 feet of a public school, public library, public park, public playground, or churches. She stated that she just wants to make Council aware of this and to see if they have any sense as to whether it is a good idea to amend the Zoning Code to prohibit this use. Because the location of the Village's retail district is near the school, there is a possibility that it could fall within that 500 feet limitation being, which would not allow it anyway.

Mayor Renda asked Council if they want to investigate this further and if we are eligible, do we want Mrs. Lane to draw up legislation to prohibit it all together, or just let it ride. Mr. Richman stated that he would like to see sample legislation to prohibit it all together. Mr. Buczek agreed.

Mr. Stanard stated that he is in favor of letting it ride; he does not see Moreland Hills being an attractive location and feels that the threat level is exceedingly low. He stated that he feels that if it were to come forward, we would have enough of a chance to defend ourselves as we would with an ordinance that could be contestable.

Mrs. Lane said to Mr. Stanard that he did raise that point previously about an ordinance prohibiting medical marijuana being subject to some sort of challenge, and she was able to confirm that in fact, State legislation says that municipalities can enact a complete ban. She stated that she believes that there would be a low risk of a challenge on that issue. Ms. Sturgis asked for clarification on the ban of medical marijuana. Mrs. Lane explained that they can put a ban on medical marijuana uses; cultivation, processing, and dispensing. Mayor Renda stated that since the Village is small, she does not see a threat for processing or cultivation; the business district is not that large. She stated that the Village residents are on average, affluent, so she is unsure of whether that would make the Village more attractive to the people that would be dispensing medical marijuana, if that is even something that they look for.

Mr. Richman stated that his concern would be security and medical marijuana potentially getting into the hands of underage residents. The reason it was challenged on the ballot in the first place is because its' use did not go through the FDA process but through the balloting process instead. There are all sorts of statistics regarding increased accidents, vandalism, lower performance in school age kids, and enough of a host of potential problems. He stated that even if the risk is small, he would be in favor of prohibiting it.

Ms. Sturgis stated that it is fairly new legislation for local municipalities and states to deal with. She stated that she understands Mr. Richman's concerns relative to the potential negative affect it could have on the community, but she balances that thought with the people that need it for medical needs. Ms. Sturgis stated she would like to know more around the laws required for having a dispensary. She stated that she does not know enough to weigh in on what standards they must uphold. Mr. Fritz stated that he does not think that all the parameters are known yet. Mrs. Lane stated that some parameters have been set and reminded Council that under the current regulations, there will only be 60 dispensaries allowed in the whole state, and there is also the distance restriction as it relates to schools, etc., that she informed them about earlier. She stated that all licensees that can operate these dispensaries must comply with certain inspection requirements, advertising regulations, and they must demonstrate that they have adequate capital to meet the facilities plans and operational needs, required to report dispensing to the Ohio automated prescription reporting system, have limited hours of operation 7:00am to 9:00pm, and all employees and owners must be licensed by the pharmacy board and wear a State ID at all times.

Ms. Sturgis asked what qualifications are required to get the license. Mrs. Lane stated that she does not have that information, but can find out the criteria and get back to Council on that. Mr. Richman asked if the medical marijuana moratorium was up soon. Mrs. Lane stated that she believes it will be up in either May or June. Mr. Richman stated that an option would be to extend it so that Council can become more well versed on it before they make a decision.

A discussion ensued regarding medical marijuana use versus recreational use.

Mayor Renda suggested discussing this further at the next Committee of the Whole Meeting and then inform Mrs. Lane as to whether we want to extend the current moratorium or if we want permanent legislation forbidding it all together.

Police

Lt. Dietzel reported that Chief Wyant contacted several local Chevy dealerships for pricing on a Chevy Tahoe, and none of them were willing to match the price or beat the amount of the State bid. Chief is continuing to work on that to have an ordinance for the purchase of the new Chevy Tahoe at the next Council meeting.

He stated that he spoke with Mr. Filarski regarding the construction on SOM Center Road and has offered to have officers assisting with traffic control. That work should be starting on April 24th. At this time, Lt. Dietzel showed Council the new ballistic vests and helmets that they have received for each police cruiser and the detective's vehicle. They have rifle ready plates, which is the same as what the SWAT team wears. He explained that this is supplemental armor to be used for active killer situations or a more escalated tactical situation, not everyday use. Lt. Dietzel thanked Mayor Renda, Council and Chief Wyant for allowing them to purchase this equipment to enhance the officers' safety.

Engineer

Mr. Filarski stated that he wanted to add that the road construction on SOM should be complete toward the end of June. Mayor Renda stated that there will be delays, but she wants to ask that everyone be patient. We may have to cancel a staff meeting because of the difficulty to get in and out of our driveway at times, but for the most part it should not be a problem. Mr. Filarski stated that they will be using police officers to direct traffic; one lane of traffic at a time. This work will occur during day time hours only, beginning April 24 until the end of June.

Mayor Renda stated that we have posted the information on the website, notified the Mayors of all surrounding communities, have put the large lighted sign out front of Village Hall, and have put information in the newsletter as well.

Mr. Buczek mentioned that when they did the this work last year in Solon with the same contractor, he did not feel that there was much of a problem. Mr. Fritz agreed with that statement.

Service

Mr. DeWater reported that the first chipping of the year begins next Monday. The hillside on River Road slid again and the Service Department has cleaned up 6 truckloads of material and will probably need to haul away at least 4 more tomorrow. The Miles Road area is moving out into the road again too, so the Service Department will watch both those areas and continue to look at other solutions. The last heavy snow storm caused a tree to fall on the Woodland Glen Treatment Plant building, crushing the roof; the insurance company has been contacted and he is currently in contact with contractors to get the roof fixed.

At this time, Mayor Renda presented Katie Martin with a proclamation declaring April 12, 2017 as “Katie Martin Day.” Mayor Renda stated that she is thrilled to present this proclamation to Mrs. Martin. Mrs. Martin stated that it was a pleasure serving and she enjoyed working with great people in the past as well as this new group of wonderful people.

REPORTS OF COMMITTEES

BZA

Mr. Stanard reported that the BZA met on April 3. The Solomon residence applied for and was granted an area variance at 145 Aspenwood for a detached garage. The next meeting is scheduled for May 1.

Planning Commission

Mr. Stanard reported that the Planning Commission met on April 3, immediately following the BZA meeting. The first item on the agenda was the detached garage at 145 Aspenwood that had just been approved for an area variance at the BZA meeting. The Planning Commission approved it. The Eisenberg residence at 75 South Lane had a tree fall on their carport and badly damage it. They were requesting to rebuild it and add an addition to it, which the board approved.

Key West Investment Corp is proposing to build a new home at 3939 Ellendale, in place of two existing structures that will be coming down; this item was tabled at the March meeting. There will be another new structure to look at in the next month. There was a very intense back and forth discussion relative to the number of windows on the home; it originally had a very large massing on one side but through the discussion they were able to make improvements to it. A major addition to the rear of the home at 100 Murwood was approved. Two new residences were also approved on Addison Lane and 35850 Jackson Road. There was a discussion regarding bees and bee keeping because there has been an increased interest relative to the rules and regulations of bee keeping. The next meeting is scheduled for May 1.

Roads & Safety Committee

Mr. Richman reported that the committee met on April 4. He stated that he will resend the minutes to everyone as it just came to his attention that no one received them. The highlights of the meeting were covered by Lt. Dietzel, Mr. DeWater, and Mr. Filarski in their reports tonight. The other items of discussion will be on the agenda tonight as legislation; Road Salt, Road Program, and the purchase of trucks for the Service Department. Mr. Richman reminded everyone of the Garlic Mustard Pull on April 29 from 9:00am to 11:00am; participants should meet at the House on the Hill at 9:00am. He also reminded everyone of Greening the Hills on May 6 from 9:00am to Noon. The next scheduled meeting is May 2.

Facilities Committee

Ms. Sturgis reported that the committee did not meet in April. She distributed the March 8 meeting minutes to everyone tonight. That meeting was specifically for the WEB area discussion where the residents had the opportunity to discuss sewer/septic issue and to share their concerns. It was a great discussion from the residents and a great partnership on behalf of the Village in response to this issue.

Mayor Renda stated that as Council knows, the Village left it up to the residents to decide and they chose, overwhelming, to stick with their septic systems. She and Mr. Filarski met with the Board of Health a few days ago and have encouraged them to begin testing with all due haste. Jenny Friedhoff, with the Board of Health, and another person have been out the last two days testing. We have asked the Board of Health to keep us up to date periodically, so she will probably have some information at next meeting to share with Council.

The next Facilities Committee meeting is scheduled for May 2.

ORDINANCES AND RESOLUTIONS

Mayor Renda informed Council that the first nine ordinances are zoning ordinances that are to go on Second Reading and there will a Public Hearing for them next month.

Ordinance 2017-11– (Second Reading) - Introduced by Mr. Stanard

AN ORDINANCE AMENDING SECTION 1151.13(P)(2) “FENCES AND WALLS IN REAR YARDS,” AND SECTION 1345.02, “FENCES AND WALLS IN REAR YARDS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO REGARDING OPEN FENCING IN REAR YARDS.

Mr. Stanard stated that this ordinance deals with the concept of open fencing.

Mr. Stanard made a motion seconded by Mr. Fritz to place Ordinance 2017-11 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-12–(Second Reading) - Introduced by Mr. Buczek

AN ORDINANCE AMENDING SECTION 1183.09 “SIGNS IN RESIDENTIAL DISTRICTS,” AND SECTION 1325.08, “SUBDIVISION DEVELOPMENT SIGNS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO TO REMOVE THE PROHIBITION ON ILLUMINATED SIGNS.

Mr. Buczek stated that this will allow signs to be lit, at subdivisions only.

Mr. Buczek made a motion seconded by Ms. Sturgis to place Ordinance 2017-12 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-13–(Second Reading) - Introduced by Mr. Stanard

AN ORDINANCE AMENDING CHAPTER 1151, “U-1 DWELLING HOUSE DISTRICT REGULATIONS” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO TO PROHIBIT FRONT FACING, ATTACHED GARAGES AND PROVIDING AN EXCEPTION FOR ATTACHED GARAGES LOCATED ON WILTSHIRE ROAD, ELLENDALE ROAD, AND BERKELEY AVENUE.

Mr. Stanard stated that this ordinance will prohibit attached garages from being placed with doors facing the street except in the areas of Wiltshire, Ellendale, and Berkeley.

Mr. Stanard made a motion seconded by Mr. Fritz to place Ordinance 2017-13 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-14–(Second Reading) Introduced by Mr. Buczek

AN ORDINANCE AMENDING SECTION 1173.07(F)(1), “USES PROHIBITED IN RIPARIAN SETBACKS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS TO PERMIT CONSTRUCTION OF SMALL STRUCTURES IN THE RIPARIAN SETBACK.

Mr. Buczek stated that this ordinance will allow for small buildings to be built in the Riparian setback, which is currently not allowed.

Mr. Buczek made a motion seconded by Mr. Stanard to place Ordinance 2017-14 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-15–(Second Reading) - Introduced by Mr. Stanard

AN ORDINANCE AMENDING SECTION 1151.07(F), “SCHEDULE 1151.07 MINIMUM SETBACK REQUIREMENTS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS.

Mr. Stanard stated that this ordinance will deal with “Footnote C” which was fairly complicated relative to “the larger the mass of the structure, the greater the setback shall be from adjoining structures and properties.” This ordinance will improve and clarify the means of measuring that structure to determine the setback.

Mr. Stanard made a motion seconded by Mr. Buczek to place Ordinance 2017-15 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-16–(Second Reading) - Introduced by Mr. Buczek

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS TO ESTABLISH A MAXIMUM GRADIENT FOR DRIVEWAYS.

Mr. Buczek stated that this ordinance will establish a maximum gradient of 10% for driveways.

Mr. Buczek made a motion seconded by Mr. Stanard to place Ordinance 2017-16 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-17–(Second Reading) - Introduced by Mr. Stanard

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS TO ESTABLISH SETBACKS AND OTHER REGULATIONS FOR AIR CONDITIONING AND AIR HANDLING EQUIPMENT AND POOL EQUIPMENT.

Mr. Stanard stated that this ordinance will be similar to our generator ordinance, to try to lessen any noise disturbance to neighbors.

Mr. Stanard made a motion seconded by Mr. Buczek to place Ordinance 2017-17 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-18–(Second Reading) - Introduced by Mr. Richman

AN ORDINANCE AMENDING SECTION 1149.01 “ESTABLISHMENT OF DISTRICTS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO.

Mr. Richman stated that this amends the zoning district table to add the new U-5 District that was approved by the voters in November.

Mr. Richman made a motion seconded by Mr. Buczek to place Ordinance 2017-18 on Second Reading.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-19–(Second Reading-As Amended) - Introduced by Mr. Fritz

AN ORDINANCE AMENDING SECTION 1173.05, “REGULATIONS FOR THE CUTTING OF TREES,” AND CHAPTER 1353, “CUTTING OF TREES,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS.

Mr. Fritz stated that this ordinance has been amended by the Planning Commission to require that the trees be cut to 12 inches to the grade, instead of requiring complete removal of the stump.

Mr. Fritz made a motion seconded by Mr. Buczek to place Ordinance 2017-19 on Second Reading, as amended.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mayor Renda explained that the next two ordinances will be placed on First Reading, because they are Zoning Ordinances and are especially important to the Village.

Ordinance 2017-21 - Introduced by Mr. Fritz

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE PLANNING AND ZONING CODE AND THE BUILDING CODE REGARDING THE LIGHTING OF OUTDOOR SPORTS COURTS.

Mr. Fritz stated that this ordinance is the result of a discussion at the Committee of the Whole meeting. After a good discussion regarding the pros and cons of allowing the lighting of sport courts within the Village, it was agreed that it would be prudent to have legislation drawn up. The balance of this ordinance has taken into account other local ordinances as well as the input by Council members through discussions.

Mr. Fritz made a motion seconded by Ms. Sturgis to place Ordinance 2017-21 on First Reading and refer it to the Planning Commission.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-22 - Introduced by Mr. Buczek

AN ORDINANCE ENACTING NEW SECTION 1151.21, "SPECIAL PROVISIONS FOR WILTSHIRE, ELLENDALE, AND BERKELEY," AND AMENDING AMENDING SECTION 1151.07(F), "MINIMUM SETBACK REQUIREMENTS," OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS REGARDING NONCONFORMING LOT CONDITIONS.

Mr. Buczek stated this ordinance is relative to new zoning regulations in the WEB area to help protect the character of the neighborhood and prevent massing.

Mr. Buczek made a motion seconded by Mr. Stanard to place Ordinance 2017-22 on First Reading and refer it to the Planning Commission.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Resolution 2017-23 - Introduced by Ms. Sturgis

A RESOLUTION CREATING AND IDENTIFYING THE GROUNDS ADJACENT TO AND NORTH OF THE VILLAGE HALL AS THE “JAMES A. GARFIELD BIRTH SITE PARK.”

Ms. Sturgis stated that this legislation was brought to us at the recommendation of Maureen Geck, President of the Moreland Hills Historical Society. On November 19, 1831, James A. Garfield, the 20th President of the United States, was born here in Moreland Hills. The Moreland Hills Historical Society has done a wonderful job of helping us to remember and keep that history alive. This will give the area of the replica cabin a formal name “The James A. Garfield Birth Site Park.”

Ms. Sturgis made a motion seconded by Mr. Fritz to suspend the rules for Resolution 2017-23.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Richman for passage of Resolution 2017-23. Ms. Sturgis stated that often people do not take in to account the importance of preserving history. She thanked the Historical Society for their tireless efforts in doing so. Mr. Richman stated that the Historical Society has done such a great job of making us proud of our heritage, which he appreciates. Mr. Stanard stated that he thinks it is appropriate that they enact this Resolution on “Katie Martin Day.”

ROLL CALL:

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

NAYS: None

MOTION CARRIED

At this time, Council President, Dan Fritz read the resolution and presented a copy to Katie Martin and Maureen Geck.

Mayor Renda thanked the Moreland Hills Historical Society for their prolonged service to the community and stated that it is appreciated. She congratulated the members of the Historical Society on their hard work. Mayor Renda wanted to point out that while she wrote the proclamation, Mrs. Lane wrote the resolution and did a lovely job.

Ordinance 2017-24 - Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2017 ASPHALT PAVEMENT PROGRAM AND DECLARING AN EMERGENCY

Mr. Richman stated that this ordinance is for the 2017 Road Program. As you recall, the residents let us know how important it is to take extra good care of roads and the infrastructure, based on the survey from the Master Plan Committee. This year's bids ranged from \$524,892.70 to \$649,260.48. The lowest and best bid which was recommend by our engineer, was from Specialized Construction in the amount of \$524,892.70.

Mr. Richman made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2017-24.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2017-24. Mr. Richman asked Mr. Filarski why the cost of maintenance of traffic was so much less in Specialized Construction's bid as opposed to the other bids. Mr. Filarski explained that they just move their dollars in different items and it is not an issue because they will still be using flaggers and police for traffic maintenance.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-25 - Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TWO (2) INTERNATIONAL CAB AND CHASSIS, MODEL 2018 4700 SFA 4X2 (SA525) FOR THE SERVICE DEPARTMENT FROM RUSH TRUCK CENTERS OF OHIO UNDER THE STATE DEPARTMENT OF TRANSPORTATION TRUCK PURCHASING CONTRACT, AND DECLARING AN EMERGENCY.

Mr. Richman stated that the Service Department originally budgeted for a new snow removal truck but Mr. DeWater discovered that ODOT has a 7-15% cost break on chassis and if we purchase two chassis this year, and two up-fitting packages for those trucks next year, the Village can save approximately \$16,000. The cost of the cab and chassis is \$174, 230.14; \$190,000 was originally budgeted.

Mr. Richman made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2017-25.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2017-25. Mr. Stanard asked if the Village has a favorable history with International. Mr. DeWater stated that we do and that he has not had any major mechanical malfunctions on any of their trucks. He stated that under State contract, he will be able to put Cummins diesel engines in these trucks at only a \$500 upcharge, which is a considerable savings and he stated they will be covered with long extended warranties

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-26 - Introduced by Ms. Sturgis

AN ORDINANCE AMENDING SECTION 131.01, "AUTHORITY TO PURCHASE," OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that from time to time, the Mayor has to authorize various expenditures for the Village. Our current Code Section 131.01 has limited her abilities to make such purchases. It allows the Mayor to make purchases not to exceed \$15,000 and allows purchases in excess of \$15,000 but less than \$50,000 to require Council recommendation as well as 3 quotes to enter into a relationship with a vendor. This Ordinance tonight increases that authority to allow the Mayor to make purchases not to exceed \$25,000, and those that are in excess of \$25,000 but less than

\$50,000 will require that the Council President be notified and approve the purchase, as well as requiring an informal quote process.

Ms. Sturgis made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2017-26.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Buczek for passage of Ordinance 2017-26. Mr. Buczek stated that Mayor Renda has always come to Council and informed them of purchases she was going to make, which is not required but he appreciates that she does that and thanked her for doing so.

Mayor Renda asked Mr. DeWater to explain why there was the need for this ordinance. Mr. DeWater explained that a tree fell on the Woodland Glen treatment plant roof; it could have potentially hit the gas line or the generator if it had fallen a little more to the left or the right. He stated that there would have been no way to even begin those repairs with the Mayor's current spending authority. Mayor Renda told Council that she appreciates their faith in her and the administration.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-27 - Introduced by Mr. Sherck

AN ORDINANCE ADOPTING A RENTAL FEE POLICY FOR THE VILLAGE OF MORELAND HILLS COMMUNITY BUILDING AND DECLARING AN EMERGENCY.

Mr. Sherck stated that the Village has been offering the residents the ability to rent the community building for free for almost two years. Recently there has been more upkeep and maintenance required for that building (carpet, paint, etc.). The fee will be \$100 for one time use and a maximum fee of \$300 for people using it more than once (yearly fee).

Mr. Sherck made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2017-27.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Sherck made a motion seconded by Ms. Sturgis for passage of Ordinance 2017-27.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-28 - Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING PARTICIPATION BY THE VILLAGE OF MORELAND HILLS IN THE OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT (018-18) FOR ROAD SALT, AND DECLARING AN EMERGENCY.

Mr. Richman stated that this contract is cheaper than the “wait and see approach.” The requirement by ODOT is to have the signed participation form back to them by May 10, to participate in the salt program next year. The requirement is to pay for 90% of estimated tonnage of salt to be used. Mr. DeWater has estimated 2800 tons for next year. The contract gives some leeway in that you can purchase 10% more or less based on your needs.

Mr. Richman made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2017-28.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2017-28. Mr. Buczek asked Mr. DeWater how he determined the tonnage needed and if we will ever end up with too much or not enough salt.

Mr. DeWater stated that he takes an average over a three-year period and explained that they start the winter with a full barn every year (from the previous year's salt) so it is always cheaper to buy in the current year for the next year's winter.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2017-29 - Introduced by Mr. Sherck

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

Mr. Sherck stated that this is the normal monthly housekeeping financial ordinance. It amends three small sections in the total amount of \$1300 and it also includes the normal transfers to the Police and Fire Levy and to the Police Pension fund.

Mr. Sherck made a motion seconded by Mr. Stanard to suspend the rules for Ordinance 2017-29.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Sherck made a motion seconded by Mr. Buczek for passage of Ordinance 2017-29.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Miscellaneous Discussion

Mrs. Katie Martin asked if she could have all the members of the Historical Society introduce themselves and tell everyone how long they have lived in the community. She introduced her husband, John Martin. Barbara Holmes, who was the past secretary of the Historical Society has lived on Meadowhill for 52 years.

Sandra Vodanoff, who is not a resident, however has lent her time as the Cabin docent for many years. She also shared how she was able to have her husband, who is an architect, donate his time to fix the cabin roof and also how a cabin visitor was willing to donate old telephone poles to make the new roof. Maureen Geck has lived here for 25 years is now the Historical Society President. Sandy Cobb, who is the archivist with the Historical Society and her husband Dave have lived here for 50 years. Gary Sherck, Councilman also serves as Treasurer for the Historical Society.

Mr. Buczek made a motion seconded by Mr. Stanard to adjourn the Regular Council Meeting at 8:26pm.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

The meeting was adjourned at 8:26pm.

Attest:

Sherri Arrietta, Clerk of Council

Dan Fritz, Council President