

REGULAR COUNCIL MEETING

September 9, 2015

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, Ms. Sturgis

ABSENT: Mr. Stanard

Also Present: Aimee Lane, Assistant Law Director, Prashant Shah, Treasurer, Ted DeWater, Service Director, Jeff Filarski, Village Engineer, Chief Kevin Wyant

Mr. Buczek made a motion seconded by Mr. Richman to approve the minutes of the Regular Council Meeting of August 12, 2015.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck,

NAYS: None

ABSTAIN: Ms. Sturgis

MOTION CARRIED

Reports from the Mayor and Other Municipal Officials

Finance

Mr. Shah stated that he received an update from the County that Moreland Hills' property values have gone up by 6.7%. The annual special assessments to the county for the treatment plants/pump stations will be certified to them tomorrow. Mr. Shah stated he will give a detailed finance update at the next Committee of the Whole meeting.

POLICE

Chief Wyant reported that they are conducting A.L.I.C.E. training in September at Brady Middle School and Orange High School. He stated that vehicle #3944 has been up-fitted and is now in service. Merlin, the Village Humvee, has been requested at three functions; the South Russell Open House, Chagrin Falls Meet the Trucks event, and Bentleyville's Safety Day. The Police Department would like to purchase Tasers for the officers; 1 per car with a maximum of 4 for a

cost of \$8,000, but it still needs to be discussed with Mayor Renda & Mr. Shah. Chief Wyant stated that they also have the opportunity right now for the replacement of old Glock weapons with the new generation models (4 @ \$75.00 each, for a total of \$1800.00) which will be a savings and will get Village officers up-to-date models. He stated that since there is a time constraint to receive this deal before the price doubles, he would like to go ahead with the purchase and stated that the funds are available in the law enforcement trust fund.

Engineering

Mr. Filarski stated that he wanted to inform Council of a small subdivision (8 lots) that was approved in 2008-2009 called The Meadows, off Chagrin Blvd. A Developer has approached the Village and would like to go forward and build the subdivision but add one additional lot to it by taking an estate lot that is 10 acres and splitting it into 2 lots. He stated that he and the developer have had much discussion with Mrs. Lane as to where the subdivision would be in the process because of the alternate number of lots and the fact that it has not been built and whether or not it would have to go through Planning again. The way it was left was that it does not, because the plat was never filed. Mr. Filarski stated that he has conveyed to the developer that they can move forward, however he still needs to review the plans to make sure nothing is out of date. He stated that it does look as though the project may go forward this time around. Mr. Filarski stated that when they get to the point of building, he will let everyone know. Mr. Fritz asked about where the access to it would be on the hill, because of the limited site distance. Mr. Filarski stated that they did a site distance review as part of the original submittal and it was determined that they do need to cut back on the downhill side in order to improve site distance.

SERVICE

Mr. DeWater stated that they are working on the trails at Forest Ridge and in fact, he has a worker up at the park every day. They are trying to see if the southernmost trail can be opened and utilized. He stated that they have been working on a lot of landscape projects. The stone wall at the Village Hall Campus is wrapping up; benches from Euclid Beach will be put at Veteran's Park, and benches will also be placed at Village Hall and the cabin. Mr. DeWater reported that the drainage crew has been busy and are still receiving calls but are trying to wrap it up before fall. He reported that they recently had some big repairs; a wiring issue on the new garbage truck which was not covered under warranty and the tires needed to be replaced on the garbage truck. The snow plow trucks will be ready by October 15.

Mayor Renda stated that she wanted to remind everyone about Janet Boehler's retirement party this Friday @ 6:30 at the House on the Hill. Anyone still wishing to attend but who has not purchased tickets, see Lt. Dietzel.

MAYOR

Mayor Renda stated that last month Council passed an increase for the BZA application fee from \$50.00 to \$250.00 and stated that she was asked for some back up on it. She stated that she tried to do a rough estimate on the low side of hours used per variance. There was some question whether a smaller variance requires the same amount of work as a larger one and the answer is yes. It does not matter the size of the variance; it still has to be dealt with same way administratively. Depending on the number of neighbors that need to be notified, a smaller variance could actually cost more than a larger one. Mayor Renda stated that she asked Mrs. Lane, Mr. Loconti, Mr. Filarski, and Mrs. Arrietta about how much time was put into each variance. She stated that she estimated that everyone (including herself) put in 15 minutes at the pre meeting and 15 minutes at the actual meeting, which is on the low side. She stated that she took everyone's hourly rate with benefits and the cost to village per variance is \$521.00, again, figuring on the low side. Orange Village charges \$500.00 for their variance application as does the Board of Health. She handed out the spreadsheet she created showing the costs and stated that as you can see, Mrs. Arrietta puts the most time in. Mayor Renda stated that at this point, she is only asking to cover half the Village's expenses but it will need to be reevaluated at some point.

Mr. Fritz stated that he was a vocal opponent of the fee increase, but the information the Mayor has provided tonight is very good information to have. He stated that when looking at everyone's time including benefits, he did not think that the costs would have been that high. Mr. Fritz thanked the Mayor for providing it. Mayor Renda stated that a variance is asking for an exception to laws that Council has passed and so other residents should not subsidize that. Mr. Fritz stated that his biggest critique was the little variance as opposed to big one having to pay the same amount, however now it seems as though \$250.00 is the lowest common denominator and is actually the least amount for a small variance.

REPORTS OF COMMITTEES

Roads & Safety Committee

There was not a meeting in August. The next meeting will be on September 29, 2015.

Facilities Committee

There was not a meeting in August. The next meeting will be on September 29, 2015.

BZA

Mr. Fritz stated that the BZA met on August 24th. There was one variance request for a deck on an irregular shaped lot. They were requesting a 42 inch variance which was approved.

Planning Commission

The Planning Commission met on August 24th immediately following the BZA meeting. The deck that received the variance was approved at Planning as well. As for the other items on the agenda that night, the minutes speak for themselves.

Master Plan Review Committee

Mr. Fritz gave an update on the Mater Plan Review Committee. The first of the four meetings being facilitated by McKenna was held on September 3. Paul Lippens and Steve Wiltse from McKenna came into town that day. He stated that he and the Mayor took them on a tour around the Village to all the neighborhoods, Forest Ridge, and the South Chagrin Metroparks. Mr. Fritz stated that he was impressed that they asked detailed questions specific to Moreland Hills in order to get a grasp of what our community is about and he stated that he is confident that they did that. Mr. Lippens and Mr. Wiltse went back out afterward and took pictures some areas of interest to use at the meeting that night. We are still in the latter part of the gathering stage of demographics that apply to Moreland Hills, but the figures they put before us show that Moreland Hills is an “affluent community;” nearly 100% of the Village is classified as “top tier.” We are still weighing out other variables and firming up numbers, but at this point, a good percentage of our households are considered top tier. The national trends with top tier communities and the baby boomer generation show that 18% of nationally polled baby boomers are looking to downsize. We have already had discussions at Planning about brainstorming ideas for “aging in place” at the corner of Hiram and 91 and the figures provided at this point, parlay into that trend. McKenna will also be creating a survey for our residents to take, so please encourage your neighbors to participate. One of the concerns of this committee was whether that 18% “aging in place” trend applies to Moreland Hills & if it does, and hypothetically Council were to approve such a plan, is there a possibility that something other than what was approved/planned for could be built instead. At this point, we have not yet identified specific trends to Moreland Hills, which is why McKenna is doing the online survey, focus groups and an “open house” meeting to receive the residents’ input. Mr. Fritz stated that he will keep Council updated on this process.

Mr. Richman suggested having information about the “open house” meeting and the survey at Greening the Hills to inform the residents further. Mayor Renda stated that is a great idea and will have Mrs. Arrietta create something to hand out to residents. Mr. Buczek stated that he was impressed by the meeting and thought that Mr. Fritz did great job. Mr. Fritz stated that the committee members are a really engaged group and that good selections were made utilizing different demographic groups. Mayor Renda informed Council that Mrs. Arrietta will change McKenna’s meeting notes into our meeting minutes format with the roll call included.

ORDINANCES AND RESOLUTIONS

Ordinance 2015-68-Introduced by Mr. Fritz

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF RICHARD (RICK) LOCONTI AS BUILDING COMMISSIONER, AUTHORIZING THE MAYOR TO ENTER INTO AN EMPLOYMENT AGREEMENT WITH RICHARD (RICK) LOCONTI, AND DECLARING AN EMERGENCY.

Mayor Renda stated that they found out today that Rick’s name is legally Rick, not Richard so the ordinance will have to be passed “as amended.” Mr. Fritz stated that this ordinance will appoint Rick Loconti as Building Commissioner, effective Sept 1, 2015 and the Village will share his services with Pepper Pike. The ordinance will also allow the Mayor to execute an agreement including his salary, vacation time, sick time, and a vehicle.

Mr. Fritz made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2015-68.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Fritz made a motion seconded by Mr. Richman for passage of Ordinance 2015-68, as amended.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2015-69 – Introduced by Mr. Richman

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MARK KAVARAS AS BUILDING INSPECTOR, AUTHORIZING THE MAYOR TO ENTER INTO AN EMPLOYMENT AGREEMENT WITH MARK KAVARAS, AND DECLARING AN EMERGENCY.

Mr. Richman stated that this ordinance is to hire Mark as our building inspector, with an agreement including compensation and the benefit of an automobile, pursuant to the shared services agreement passed last month. He will be provided with a city vehicle that will be used for both communities. Pepper Pike will purchase this vehicle (MH will purchase Mr. Loconti's vehicle) and each community will be responsible for the insurance & maintenance of said vehicles.

Mr. Richman made a motion seconded by Ms. Sturgis to suspend the rules for Ordinance 2015-69.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Ms. Sturgis for passage of Ordinance 2015-69.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2015-70 – Introduced by Mr. Buczek

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF BENTLEYVILLE FOR COOPERATION COST SHARING FOR THE 2015 PAVEMENT MARKING PROGRAM IN THE VILLAGE OF MORELAND HILLS AND THE VILLAGE OF BENTLEYVILLE AND DECLARING AN EMERGENCY.

Mr. Buczek stated that this agreement is for the road striping program this year between Moreland Hills and Bentleyville.

Mr. Buczek made a motion seconded by Mr. Richman to suspend the rules for Ordinance 2015-70.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman asked about adding a phrase about unreasonably withholding approval of the contract to the agreement. Mrs. Lane stated that it is a common phrase so it can be added to the agreement.

Mr. Buczek made a motion seconded by Mr. Sherck for passage of Ordinance 2015-70 as amended.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2015-71– Introduced by Mr. Buczek

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH J.D. STRIPING & SERVICES, INC., FOR THE 2015 PAVEMENT STRIPING PROGRAM AND DECLARING AN EMERGENCY.

Mr. Buczek stated that this is the contract for the striping program mentioned in the previous Ordinance. Three bids were received. The total cost is 19,528.25 which will be split between the two communities (Moreland Hills share is \$13,631.30 and Bentleyville's is \$5,896.95)

Mr. Buczek made a motion seconded by Mr. Sherck to suspend the rules for Ordinance 2015-71.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Mr. Sherck for passage of Ordinance 2015-71.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2015-72– Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE TRANSFER AND DISPOSAL OF SOLID WASTE SERVICES AND DECLARING AN EMERGENCY.

Mr. Richman made a comment that almost all the ordinances tonight are a good example of regionalism and regional cooperation and gave his kudos to the Mayor and the administration for cooperating and saving costs for the Village.

Mr. Richman stated that this ordinance is for a new 3 year contract for solid waste disposal, as part of the county consortium at a cost of \$3.00 per ton, which is lower than the current contract. It will increase by a little less than \$1.00 per ton over the 3 year period.

Mr. Richman made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2015-72.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2015-72.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2015-73– Introduced by Ms. Sturgis

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR RECYCLING PROCESS SERVICES AND DECLARING AN EMERGENCY.

Ms. Sturgis stated that pursuant to the previous ordinance passed; this is also part of a consortium with numerous communities. They organized a request for recycling proposals, received 2 bids back, and ultimately recommended Kimble Transfer & Recycling.

Ms. Sturgis made a motion seconded by Mr. Fritz to suspend the rules for Ordinance 2015-73.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ms. Sturgis made a motion seconded by Mr. Buczek for passage of Ordinance 2015-73. Mr. Richman asked about section E in the agreement regarding the contractor keeping records and asked if the Village is also permitted to inspect the records and do an audit of those records. Mr. DeWater stated that they send us a copy of the calculation sheets everyone month and that we are staying with the same recycling company as last year. Mr. Richman asked about approximate tonnage per year. Mr. DeWater stated that the total tonnage (without cardboard) is 400 tons per year.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Resolution 2015-74– Introduced by Mr. Sherck

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

Mr. Sherck stated that this is an annual resolution. The Tax budget is sent to the county in July and this is the allocation of the 7.3 millage that the Village has asked for. It shows the allocation between general fund, retirement fund, and police pension and fire levy, which adds up to the 7.3 millage.

Mr. Sherck made a motion seconded by Mr. Buczek to suspend the rules for Resolution 2015-74.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Sherck made a motion seconded by Mr. Buczek for passage of Resolution 2015-74.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Ordinance 2015-75– Introduced by Mr. Fritz

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

Mr. Fritz stated that the amendments to the current appropriations are as follows: FT Building Salaries are for the contracts with Mr. Loconti and Mr. Kavaras for the remainder of year as are the Cell Phone Allowance and Medicare. Capital is for the Village to purchase a vehicle for Mr. Loconti; Auditor & Treasurer Fees are from the county for tax collection and are a little higher than normal because of additional charges. Capital in the amount of \$3,600 is for the Community Building electronic sign and Capital in the amount of \$52.00 is for the clean-up due to the shortage at Greentree.

Mr. Fritz made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2015-75.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Mr. Fritz made a motion seconded by Ms. Sturgis for passage of Ordinance 2015-75.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

Miscellaneous

Mr. Richman asked Mr. Sherck when that upcoming NOACA meeting will be. Mr. Sherck stated that it will be Thursday at 6:00pm at the Doubletree on Rockside Road. There will be a spokesperson from the ethics commission there to speak about ethics.

Mr. Richman asked about Greening the Hills. Mayor Renda informed him that it will be held on October 3rd from 9am-12pm. She informed Council that they can bring refreshments if they would like; the Green-Parks Commission does that as well and as always, the Service Department will set everything up. Mayor Renda stated that she always appreciates when Council shows up and helps out. She stated that she, however, will not be there as she will be out of town.

Mr. Fritz stated that he wanted to discuss photoelectric vs. ionization smoke alarms as far as the conflict with the State requirements and what is in our Code re-write. He stated that it is important to note actual examples; there was a situation where a house had the photoelectric smoke detector downstairs, which was the one that woke them up because they are more efficient for smoldering fires (ionization is better for big, exploding fires that tend to happen in a kitchen while you are awake). Mr. Fritz stated that he thinks getting at least one photoelectric smoke detector to add to the others in your home is a good idea. The fire department receives way less nuisance alarm calls from them. This has been brought to the attention of the BBS to change Code requirements.

Mr. Buczek made a motion seconded by Mr. Richman to adjourn the Regular Council Meeting at 8:05pm.

ROLL CALL:

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

NAYS: None

MOTION CARRIED

The meeting was adjourned at 8:05pm.

Attest:

Sherri Arrietta, Clerk of Council

Steve Richman, Council President