



Village of
Glenwillow

Honoring the Past - Welcoming the Future

Council Meeting – Council Chambers
August 6, 2014 – 7:30 pm
Mayor Mark A. Cegelka presiding

The Mayor, Mark A Cegelka called the meeting to order at 7:40 p.m. and all present said the Pledge of Allegiance.

Present: Jeffrey Adie, John Baca, Don Banas, Eric Johnson, Gurvis Smith, Larry Sylver

Others Present: Law Department Justin Whelan, Building Official Rick Loconti, Engineer Mike Henry, Clerk of Council Lori Pepera

Guest: FirstEnergy Senior Communications Representative Dave Dillon, Representative from Premier Development Kevin Calahan

Presentation of Scholarships to the graduating High School Seniors:

- Mayor Cegelka presented scholarships to 6 students who reside in the Village and have graduated this year from Solon High School. Each student was eligible to receive \$250 per year for each year they attended Solon High School if they are attending a 2 or 4 year accredited college or university. A total of \$6,000.00 was given away this year.

The following students received scholarships: Ra'shaan Arnold, Abigail Clayton, Taylor Fox, Tyler Hopkins, Adrianna Liggins, Kamaal Sorrells

Motion by Eric Johnson, seconded by Larry Sylver to recess the Council Meeting temporarily.

Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver

Nays—None

6 yeas – 0 nays

Motion carried

Motion by Larry Sylver, seconded by Gurvis Smith to resume the Council Meeting

Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver

Nays—None

6 yeas – 0 nays

Motion carried

APPROVAL OF MINUTES

The minutes of the Regular Council Meeting of July 2, 2014, were approved as presented. (Baca/Johnson)

Roll Call: Yeas - Baca, Banas, Johnson, Smith, Sylver

Abstain-Adie

Nays - None

5 yeas – 0 nays

1-Abstain

Motion carried

PAY ORDINANCE

2014-8-48

The Pay Ordinance was approved as presented (Johnson/Adie)

Roll Call: Yeas –Adie, Baca, Banas, Johnson, Smith, Sylver
 Nays – None

6 yeas – 0 nays
Motion carried

CORRESPONDENCE & MAYOR'S REPORT:

The following were attached in the Mayor's packet:

- A copy of the Mayor's Court Report for the month of July 2014.
- A copy of the Building Department Report for the month of July 2014.
- A copy of the Building Department status report for July 2014 to *Mayor Cegelka* submitted by *Rick Loconti* showing the following up-dated information;
Foreclosures and Rentals dated July 2014
- A copy of a check in the amount of \$4,435.14 received from Republic Services, for the month of June 2014.
- A check in the amount of \$11.34 from River Valley Paper Co. for the month of June.
- A copy of a check received from the Solon Board of Education for \$19,000.00. This is the payment from the CRA Agreements that gets deposited into the Recreation Fund.
- A copy of the report supplied by Chief *Hagquist*, reporting streetlight outages to Solon FirstEnergy Service Center;
Date of Report August 6, 2014
- A copy the incident and inspection reports for the Months of May and June performed by Oakwood Fire Department.
- A copy of the monthly Geese report supplied by Greenfields Environmental for Geese management at Avery Lake and the Donald N. Payne Recreation Complex for the month of July 2014.
- A memo from Mayor Fletcher Burger, City of Bedford Heights, reporting on a study conducted by URS Consultants addressing concerns raised by the Ohio EPA and Water Reclamation Director David Pocaro regarding infiltration of storm water in to the City's sanitary sewer system. The report shows that sanitary flows from the Glenwillow pump station contribute to this system and is of high priority.
- An article describing the Public Records Policy, such as, who may request copies of or inspect public records, what is considered a public record, and the process of which the records are gathered.
- A copy of the client summary report from Matty, Henrickson & Greve for the month of June.
- Correspondence from Engineer Mike Henry, discussing the closing of the 17 acre parcel known as the Carucci Property. Western Reserve Land Conservancy (WRLC) will finalize the closing once the Land Bank has scheduled a demo of the house on the property. This project is 100% funded. The Village will pay WRLC for the property and transfer and will then be reimbursed from the Clean Ohio Grant within 45 days.

- A copy of the email Mayor Cegelka received from Business Attraction Director Mary Cierbiej with Team NEO announcing Core-Mark Holding Company, Inc. was approved at the Tax Credit Authority on Monday July 28th. The company expects to create 150 full-time positions, generating \$6 million in additional payroll as a result of the company's new location here in Glenwillow.
- A copy of an email from FirstEnergy External Affairs Manager Dave Dillon reporting aerial inspections will be performed on the transmission lines beginning July 31, 2014. The inspections will be performed by a black helicopter with silver stripes and will be flying slowly and low along the lines for a close inspection.
- A copy of an article that appeared in Crain's on July 21, 2014 reporting there is a new owner of Dots. The retail chain is now Florida-based. The company currently has 7 stores open, one being in the Cleveland area located at Steelyard Commons.
- Correspondence received from the Cuyahoga County Council requesting the Village agree to and sign an agreement governing the use of Extended Capital Improvement Bed Tax between the County of Cuyahoga, Positively Cleveland and the Mayor of the City of Cleveland. Helping to pass legislation for this will put a significant amount of money into our economy.
- A copy of the Liberty News and Views

FYI

There will be Fireworks, a Rib Dinner and a concert August 22nd held at Oakwood Community Park. The cost of the rib dinner is \$3.00 per person and will be served 4:30- 6:30 p.m. The Village is sharing the cost of the fireworks with the Village of Oakwood.

Mayor Cegelka will be out of town August 8th to August 14th. Vice Mayor John Baca will be cover while Mayor Cegelka is away.

LAW DEPARTMENT JUSTIN WHELAN:

- Justin Whelan reported on two items this evening:
 - 1) The NEORS D involving the storm water; Oral Argument has been scheduled for September 9, 2014 at 9:00 am. A decision on the case should follow 4 to 6 months after the oral argument."
 - 2) There is an Ordinance on the agenda this evening proposing a Charter Amendment. This Charter provision will allow Council and Committees to be able to hold executive session behind closed doors. If passed, the Clerk of Council will follow the appropriate procedures for this to be on the November ballot.

VILLAGE ENGINEER MIKE HENRY:

- Engineer Mike Henry reported the Pettibone Road Project is on schedule with the final paving to start next week. The Road will reopen to two-way traffic around the second week in August.
- The final paving on Pergl Road will begin next week.

BUILDING OFFICIAL RICK LOCONTI:

- Venture Lighting is nearing completion and will soon be occupying 7905 Cochran Road Suite 300.

- The construction of the CoAx building on Emerald Valley Parkway is progressing nicely and ahead of schedule.
- A meeting was held with Mayor Cegelka and the Law Department to discuss how the Village interacts with the Home Owners Associations in the Village.
- The Building Department has relocated to 29625 Pettibone Road.

NEW BUSINESS:

<p>2014-7-47 Ordinance</p>	<p>An Ordinance providing for the submission to the electorate the question of amending the Charter to add Article XV, Section 8 to provide for open meetings with executive session authorization for certain specified purposes as provided by State law and declaring an emergency. – 1st reading July 2, 2014. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Sylver/Smith) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve (Baca/Johnson) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Ordinance carried
<p>2014-8-30 Resolution</p>	<p>A Resolution authorizing the Mayor to enter into an Access Agreement with American Transmission Systems, Incorporation for access onto Village-owned parcel numbers 991-08-001, 991-09-003 and 991-09-005 to perform work on transmission lines and facilities. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Banas/Baca) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve (Adie/Baca) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Resolution carried

<p>2014-8-49 Ordinance</p>	<p>An Ordinance No. 2014-08-49 amending Ordinance No. 2014-1-2 and appropriating funds to provide for the expenditures of the Village for the fiscal year beginning January 1, 2014 and ending December 31, 2014. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Smith/Baca) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve (Johnson/Baca) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Ordinance carried
<p>2014-8-50 Ordinance</p>	<p>An Ordinance amending Section 113.01(a) of the Administrative Code and the Village’s posting locations and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Smith/Baca) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve (Johnson/Baca) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Ordinance carried

<p>2014-8-51 Ordinance</p>	<p>An Ordinance amending Section 711.04 of the Building Regulation Code to correct a typographical error and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Smith/Banas) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve. (Sylver/Baca) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Ordinance carried
<p>2014-8-52 Ordinance</p>	<p>An Ordinance amending Section 1113.01 of the Planning and Zoning Code to require approval of a homeowners' association prior to issuance of a building permit or certificate of use compliance and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to place Ordinance on First Reading (Johnson/Sylver) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried

<p>2014-8-53 Ordinance</p>	<p>An Ordinance amending Section 1301.11(a) of the Building Code to require approval of a homeowners' association prior to issuance of a building permit and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to place Ordinance on First Reading (Smith/Baca) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried
<p>2014-8-31 Resolution</p>	<p>A Resolution No. 2014-08-31 authorizing the Mayor to enter into a Job Creation Grant Agreement with Core-Mark Holding Company and declaring an emergency (Note: Agreement is draft only at this time and still being reviewed, however, it is anticipated that a final agreement will be available prior to the meeting) and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Baca/Johnson) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve. (Johnson/Baca) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Resolution carried

<p>2014-8-32 Resolution</p>	<p>A Resolution authorizing the Mayor to enter into a Purchase Agreement for the acquisition of a 3.3880 acre parcel of land located at the northeast corner of Richmond and Pergl Roads and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Sylver/Smith) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve. (Baca/Johnson) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6yeas – 0 nays Resolution carried
<p>2014-8-33 Resolution</p>	<p>A Resolution authorizing an extension to the agreement with Municipal Building Inspection Solutions and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Sylver/Banas) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve. (Sylver/Smith) Roll Call: Yeas— Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6yeas – 0 nays Resolution carried

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<p>2014-8-34 Resolution</p>	<p>A Resolution accepting the proposal of Shanahan Structures for construction of a salt storage building and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Sylver/Smith) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Motion carried • Motion to approve. (Banas/Johnson) Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver Nays—None 6 yeas – 0 nays Resolution carried
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- FirstEnergy Senior Communications Representative Dave Dillon was in attendance to discuss Resolution No. 2014-8-30 on the agenda. Dave explained that FirstEnergy requested the use of Village property to gain access to the power lines to work on the project they are working on involving the substation. If passed, the Resolution gives them the access they need from approximately August 7, 2014 to June of 2015. During this time FirstEnergy will be installing 28 new foundations, the demolition of 16 existing structures, installation of 21 new structures, and the installation of 2.1 circuit coils of conductor. A helicopter will be used to string the wire through the lines and timber mats will be used to protect the ground from the vehicle access. No roadways will be closed or obstructed during the process and all required permits will be obtained throughout the project.
- Kevin Calahan, a representative from Premier Development, was in attendance to discuss Resolution 2014-8-31. Kevin explained Core-Mark Holding Company will be moving their Regional Headquarters into the vacant building DOTS was formerly occupying and has signed a 15 year lease with options to renew. The company is a food and tobacco distributor and will be looking to fill approximately 150 full time jobs. Peggy Spraggins explained there is still a tax abatement on the building until 2019. The Job Creation Tax Credit Agreement on the agenda this evening is due to begin in 2020.

Motion by Larry Sylver, seconded by Jeff Adie to hold a Public Meeting Wednesday September 3, 2014 at 7:30 p.m. to discuss local housing and community development needs.

**Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver
Nays—None**

**6 yeas – 0 nays
Motion carried**

Motion by Don Banas, seconded by Jeff Adie to approve an agreement governing the use of Extended Capital Improvement Bed Tax between the County of Cuyahoga, Positively Cleveland and the Mayor of the City of Cleveland.

**Roll Call: Yeas—Adie, Baca, Banas, Johnson, Smith, Sylver
Nays—None**

**6 yeas – 0 nays
Motion carried**

- Councilman Smith scheduled a Building/Housing Committee Meeting for September 3, 2014 at 5:30 p.m.
- Councilman Sylver scheduled a Recreation Meeting for September 3, 2014 at 6:30 p.m.
- Councilman Banas scheduled an Infrastructure Meeting for September 3, 2014 at 7:00 p.m.
- Councilman Sylver questioned the two Ordinances on the agenda regarding the Home Owners Associations. Larry inquired if the actual covenants of the HOA will be taken into consideration when decisions are made as to how the interface with the Village is going to work. Justin Whelan explained the Law Department is looking into it. The Village needs to be careful in regards as to not get involved in enforcing the private agreements between the HOA's and the home owners. Mayor Cegelka stated some issues have come up with the new HOA at Glenwillow Place that have led to questions and concerns of how the Building Department and the HOA's should work together. The reason for these two Ordinances is to define how to process issues through the Building Department and to give the HOA and the homeowners the proper information. The Village's position is the HOA's were created to enforce their own rules and regulations and not the Village enforcing them. Council Johnson explained his concerns with the Village getting involved into any type of litigation such as when the HOA's have rules and regulations of issues not covered by the Village Codified Ordinances.

There being no further business to come before Council, motion by Jeff Adie, seconded by Gurvis Smith to adjourn the meeting. Vote on the motion to adjourn was all yeas and no nays.

Mayor Mark A. Cegelka adjourned the meeting at 9:27 p.m.

Mark A. Cegelka – Mayor & President of Council

Lori Pepera, Clerk of Council