



Village of
Glenwillow

Honoring the Past - Welcoming the Future

Council Meeting – Council Chambers
July 2, 2014 – 7:30 pm
Mayor Mark A. Cegelka presiding

Dedication of the John A. Baca Chambers took place before the Council Meeting this evening.

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

Motion by Don Banas, seconded by John Baca to excuse Councilman Jeff Adie from tonight's meeting.

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

**5 yeas – 0 nays
Motion carried**

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

Others Present: Law Department Justin Whelan, Finance Director John Veres, Building Official Rick Loconti, Assistant Service Director Daryl Schultz, Engineer Mike Henry, Police Chief Robert Hagquist, Clerk of Council Lori Pepera

Guest: John Brown

APPROVAL OF MINUTES

The minutes of the Regular Council Meeting of June 4, 2014, were approved as presented.
(Baca/Sylver)

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

5 yeas – 0 nays
Motion carried

PAY ORDINANCE

2014-7-43

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

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

5 years – 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 June 2014.
- A copy of the Building Department Report for the month of June 2014.
- A copy of the Building Department status report for June 2014 to *Mayor Cegelka* submitted by *Rick Loconti* showing the following up-dated information;
Foreclosures and Rentals dated June 2014
- A copy of a check in the amount of \$4,402.44 received from Republic Services, for the month of May 2014.
- A check in the amount of \$17.14 from River Valley Paper Co. for the months of February, March, April and May.
- A memo from Service Director Sam Scaffide reporting he has hired Stephon Fields for part-time seasonal employment on an as needed basis. Stephon has worked for the Village in the past.
- On June 2, 2014 Mayor Cegelka presented a check to the Solon City Schools in the amount of \$470,753.02 which represents the 2013 revenue sharing for 15 businesses in the Village that currently participate in the Community Reinvestment Program. Attached is the letter addressed to Superintendent Joe Regano and Treasurer Tim Pickana the Mayor presented along with the check.
- A copy of an email received from Victoria Burns, the real estate agent representing the family that owns the property at 6995 Richmond Rd. The Village made an offer of \$30,000 to purchase the property. The family is countering the Village's offer at \$49,000 and would prefer it to be a cash or conventional loan with all legal, surveys, filing and other fees to be paid for by the Village. The Village made a counter offer of \$35,000.

- A copy of the report supplied by Chief *Hagquist*, reporting streetlight outages to Solon FirstEnergy Service Center;
Date of Report July 1, 2014
- A copy of the monthly report supplied by Greenfields Environmental for Geese Management at Avery Lake and the Donald N. Payne Recreation Complex for the month of June 2014.
- A memo from Service Director Sam Scaffide reporting he has received 3 proposals for the purchase and construction of a salt storage building. He recommends using Shanahan Structures as they had the lowest and best bid.
- A copy of a check in the amount of \$25,760 from the Village of Oakwood for reimbursement of the Richmond Road/Broadway Road Intersection Project.
- A copy of an article from the Twinsburg Bulletin regarding the connection of the existing paved trail north of Bond Street to an existing trail at Glenmeadow Park in Twinsburg. Twinsburg Council voted 7-0 to approve the partnership with the Village to seek grant funding.
- Correspondence between the manager of the Mobile Home Park Katie Kagler, and landscaper Rick Varga. AT&T is installing a box in the Mobile Home Park and Katie has requested to have some landscaping installed around it. Katherine Holmok has also helped with the design of the landscaping.
- Correspondence with Western Reserve Land Conservancy regarding the documentation needed for the Glenwillow Clean Ohio Project. This is the 17 acre parcel on Richmond Road located next to the Mobile Home Park. The total purchase price of the parcel including all closing costs and appraisals is \$113,723 which is the total amount of the grant received. The Land Bank will pay the contractor who handles the demolition of the house.
- A copy of a letter prepared by Engineer Mike Henry addressed to the City of Macedonia requesting the City to repair and maintain the drive culvert/catch basin on Shepard Road to avoid damage to surrounding residential properties and to maintain safety for vehicles through the intersection.
- A packet from Premier Development Partners with an overview of 30300 Emerald Valley Parkway (the former DOTS building) describing the location, offices, warehouse and distribution facilities.

- Copies of two checks received from HAS Claims Service for the damage caused by the lightning strike to Village Hall on May 12, 2014. Attached with the checks is a breakdown of the bills incurred from the damage showing what has been paid to date minus a deductible of \$1,000.00.
- The 2012 & 2013 Auditor's Report has been completed. A copy of the entire report has been uploaded to your ipad under Council Memo.

FYI

- On Friday a resident informed the Village all residents that occupy the rental homes along Pettibone Road, owned by Republic Services, received a letter from Site Manager Arky Downy. It states Republic has opted not to extend their occupancy beyond December 31, 2014 and the property must be vacated. Republic Services General Manager Al Marino was immediately contacted. Mr. Marino stated the division of Republic that handles the rentals desires to have the homes vacated and possibly demolished. Republic gave no opportunity to discuss their intentions before notices went out. Attached is a copy of a letter the residents received from Republic Services along with a letter from Mayor Cegelka. Also attached is an email sent to Al Marino requesting an immediate response to resolve the issue.

FINANCE DIRECTOR JOHN VERES:

- Finance Director John Veres reported the reason for the Appropriations Amendment on the agenda this evening is due to the Clean Ohio Grant.
- The 2015 Tax Budget is on the agenda this evening and needs to be filed by July 20th. The purpose for this is to accept the millage.

LAW DEPARTMENT JUSTIN WHELAN:

- Justin Whelan reported on three items on the agenda this evening:
 - 1) The ongoing case with the Illuminating Company and Fortuna Construction, where Fortuna sued the Village as a third party defendant seeking monetary contribution; Fortuna settled with the Illuminating Company for \$6,000. Fortuna elected to dismiss the Village from the case.
 - 2) The NEORSO involving the storm water; the brief from the appellate communities was filed with the Supreme Court of Ohio. The Sewer District has 20 days to file their reply brief. Oral argument will be scheduled 2 to 4 months after that and the decision of the case will follow 4 to 6 months after that.

- 3) There is an Ordinance on the agenda this evening proposing a Charter Amendment. This will be on first reading tonight and will need to be passed at the August 6, 2014 meeting in time for it to be put on the November ballot. If passed, this Charter provision will allow Council and Committees to be able to hold executive session behind closed doors.

VILLAGE ENGINEER MIKE HENRY:

- Engineer Mike Henry reported the Pettibone Road Project is on schedule and is due to reopen to two-way traffic in August.
- The surface work and final street striping will be done on Pergl Road next week. (up to 27620 Pergl)
- The Asphalt Repair and Crack Sealing Programs will begin next week. Letters will be sent out to residents affected by this work.
- There are two Ordinances accepting easements for the installation and maintenance of storm sewers at 27928 and 27935 Pergl Road on the agenda this evening.

BUILDING OFFICIAL RICK LOCONTI:

- Venture Lighting will be occupying 7905 Cochran Road Suite 300. Operations Manager Daniel Andre will be at the Planning Commission Meeting July 9, 2014 to apply for an Occupancy Compliance.
- The construction of the CoAx building on Emerald Valley Parkway is progressing nicely and ahead of schedule.
- Advanced Roofing is the new tenant occupying 7555 Bond Street.

ASSISTANT SERVICE DIRECTOR DARYL SCHULTZ:

- Assistant Service Director Daryl Schultz reported on the following items:
 - Mayor Cegelka reported that Service Director Sam Scaffide is currently at University Ahuja and doing well after having bypass surgery.
 - Street Striping started on Friday June 27, 2014 and will be finished up sometime next week.
 - The remaining 150 tons of salt left over from the 2013-2014 winter season that was being stored in Solon has been removed from the storage facility and is now being stored in the Village at 28555 Pettibone Road.

- The entranceways at Bond Street and Pergl have been landscaped with new shrubs, annuals and perennials.
- A water leak at the DNP Recreation Complex along the hillside was repaired.
- Cuyahoga County Waste picked up hazardous waste that has been collected throughout the year. This included computer equipment, paint, oil, etc. that residents have dropped off.

PRESENTATION:

- Engineer Mike Henry and former Law Director John Brown gave a brief presentation of the proposed trail connecting Bond Street to Glenwmeadow Park in Twinsburg. John Brown reported on the original contract from the 1990's with Browning and Ferris Industries. Part of the contract was to bring a trail down and follow the exterior of the landfill. At that time, negotiations took place based on the size of the landfill. Since the first of the year a series of meetings took place with Republic Services. Republic Services proposed a different route due to the concern of monitoring wells on the property. The City of Twinsburg was also contacted and brought proposals in terms of how the trail would tie into Glenwillow and had agreed to a partnership with Glenwillow to apply for funding.

Mike Henry explained how the proposed trail would tie into the Pettibone Road trail and into Twinsburg. The trail would extend down Bond Street with a parking area at the end. It would then wind across the South side of Republic Services property, along the City property of Twinsburg, out onto Heritage Drive and connect into Glenmeadow Park. This would open up trail access to the Southern end in Summit County and connect two Metro Park Systems, the Cuyahoga County Park System and the Summit County Park System. The proposed new trail is a little over a mile long. The total project cost is approximately \$500,000.00 and will be shared with the City of Twinsburg. Peggy Spraggins reported on some of the areas where funding will be applied for;

- Ohio Department of Natural Resources (ODNR) and Clean Ohio applications are due February 1, 2015.
- Northeast Ohio Areawide Coordinating Agency (NOACA)
- Community Development Block Grant (CDBG)

NEW BUSINESS:

<p>2014-7-44 Ordinance</p>	<p>An Ordinance 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 and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none">• Motion to suspend 3 reading rule (Smith/Johnson) Roll Call: Yeas—Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried• Motion to approve (Baca/Johnson) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Ordinance carried
<p>2014-7-45 Ordinance</p>	<p>An Ordinance adopting the year 2015 tax budget as submitted by the Finance Director and authorizing submission of the alternative tax budget information to the Auditor of Cuyahoga County and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none">• Motion to suspend 3 reading rule (Smith/Banas) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried• Motion to approve (Baca/Sylver) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Ordinance carried

<p>2014-7-46</p> <p>Ordinance</p>	<p>An Ordinance providing for the issuance and sale of not to exceed \$175,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of improving Annetta Drive, Mello Drive and Pergl Road by reconstructing, resurfacing, improving, grading, draining, curbing, paving and constructing storm sewers and related drainage facilities and declaring an emergency. (Mayor & Council) <i>The Fiscal Officer's Certificate is signed and on file with the Clerk of Council</i></p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Smith/Baca) Roll Call: Yeas—Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried • Motion to approve (Johnson/Baca) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Ordinance carried
<p>2014-7-47</p> <p>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. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to put Ordinance on First Reading Roll Call: Yeas—Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried

<p>2014-7-23 Resolution</p>	<p>A Resolution authorizing the Mayor to enter into a Consulting Agreement with the Western Reserve Land Conservancy to facilitate the purchase and preservation of Permanent Parcel Numbers 991-01-003 and 991-01-006 located on Richmond Road and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Smith/Banas) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried • Motion to approve. (Sylver/Baca) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Resolution carried
<p>2014-7-24 Resolution</p>	<p>A Resolution authorizing the Mayor to enter into a Purchase and Sale Agreement with JN Goat LLC for the acquisition of Permanent Parcel Numbers 991-01-003 and 991-01-006 located on Richmond Road and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Johnson/Sylver) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried • Motion to approve. (Johnson/Sylver) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Resolution carried

<p>2014-7-25</p> <p>Resolution</p>	<p>A Resolution authorizing the Mayor to enter into a Grant of Conservation Easement and Covenant for stewardship fees with the Western Reserve Land Conservancy for Permanent Parcel Numbers 991-01-003 and 001-01-006 located on Richmond Road and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Smith/Baca) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried • Motion to approve. (Johnson/Banas) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Resolution carried
<p>2014-7-26</p> <p>Resolution</p>	<p>A Resolution accepting an easement for the installation and maintenance of storm sewers and appurtenances under, across and through PP# 991-06-013 known as 27928 Pergl Road owned by Timothy Jay Caron and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Baca/Johnson) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried • Motion to approve. (Johnson/Baca) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Resolution carried

<p>2014-7-27 Resolution</p>	<p>A Resolution accepting an easement for the installation and maintenance of storm sewers and appurtenances under, across and through PP# 991-06-022 known as 27935 Pergl Road owned by Thaddeus L. Hudgins and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Sylver/Smith) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None <p style="text-align: right;">5 yeas – 0 nays Motion carried</p> • Motion to approve. (Baca/Johnson) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None <p style="text-align: right;">5 yeas – 0 nays Resolution carried</p>
<p>2014-7-28 Resolution</p>	<p>Resolution authorizing the Service Director to discard an over-accumulation of stone and gravel no longer needed for municipal purposes and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Sylver/Banas) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None <p style="text-align: right;">5 yeas – 0 nays Motion carried</p> • Motion to approve. (Sylver/Smith) Roll Call: Yeas— Baca, Banas, Johnson, Smith, Sylver Nays—None <p style="text-align: right;">5 yeas – 0 nays Resolution carried</p>

<p>2014-7-29 Resolution</p>	<p>A Resolution expressing cooperation between the Village of Glenwillow and the City of Twinsburg to explore the feasibility of constructing a trail connecting Glenmeadow Park to Bond Street and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to suspend 3 reading rule (Sylver/Smith) Roll Call: Yeas—Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Motion carried • Motion to approve. (Banas/Johnson) Roll Call: Yeas—Baca, Banas, Johnson, Smith, Sylver Nays—None 5 yeas – 0 nays Resolution carried
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RECREATION COMMITTEE CHAIRMAN LARRY SYLVER:

- Councilman Sylver thanked Councilman Smith for filling in for him at the Concert in the Park on Sunday June 22nd. The next concert in the Summer Concert Series will be July 13th followed by the Classic Car Show on July 20th.
- Councilman Baca commented on the great job Councilman Smith did at the June 22nd Concert in the Park.
- Councilman Sylver scheduled a Recreation Meeting for August 6, 2014 at 6:30 p.m.

CITIZEN COMMENTS:

- Resident Laurie Hoover questioned if there will be lighting on the proposed trail along Bond Street. Mike Henry replied, there have not been any plans for lighting right now. Mayor Cegelka stated that could be an issue discussed for the final grant application.
- Mayor Cegelka reminded everyone there is an Architectural Board of Review Meeting and a Planning Commission Meeting scheduled for July 9, 2014.

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

Mayor Mark A. Cegelka adjourned the meeting at 8:40 p.m.

Mark A. Cegelka – Mayor & President of Council

Lori Pepera, Clerk of Council