



Village of
Glenwillow

Honoring the Past - Welcoming the Future

Council Meeting – Council Chambers
April 19, 2017, 2017– 7:30 pm
Mayor Mark A. Cegelka presiding

The Mayor, Mark A Cegelka called the meeting to order at 7:30 p.m. and all present said the Pledge of Allegiance.

Present: Jeffrey Adie, Don Banas, Barbara DiBacco, Eric Johnson, Gurvis Smith

Absent: Larry Sylver

Others Present: Law Department Mark Marong, Finance Director John Veres, Engineer Mike Henry, Clerk of Council Lori Pepera

Residents: Bonita and Kevin Prewitt, Darryl and Andrea Sinclair, Patrick Andrews

APPROVAL OF MINUTES

The minutes of the Regular Council Meeting of April 5, 2017 were approved as presented.
(Adie/Dibacco)

Roll Call: Yeas - Adie, Banas, DiBacco, Johnson, Smith
Nays – None
5 yeas – 0 nays

MAYORS REPORT:

Mayor Cegelka reported on the following;

InterDesign is in the process of constructing a 200,000 square foot addition to their existing building off of Emerald Valley Parkway.

Recently Council passed the introductory Ordinance for GED to locate from Twinsburg to Glenwillow to construct a 130,000 square foot building on Diamond Parkway. They will bring in approximately 110 jobs. A notice was sent to the Solon School Board. If everything goes as planned this will be on the May Council Meeting agenda.

Custom Products, currently located in the Village, has a partner company called Contract Packaging. This division is currently located in Solon but the company needs to vacate the building they currently occupy. They have proposed a 90,000 square foot building with the possibility of a 60,000 square foot addition on either Cochran Road near Glazer's or in the Diamond Business Park. The Village has talked to RTA to see if they can accommodate their employees if they locate in the Diamond Business Park.

PRESENTATIONS AND ANNOUNCEMENTS:

Cross Connections-Tinkers Valley

Mark Marong explained; each resident may individually come up and tell Council their morals claim and the amount of money they are asking for to fix the cross connections. Council will then discuss publicly and direct the Law Department by motion of what to do. If Council authorizes money to be paid, the Law Department will then draw up a Morals Claim and Release Settlement. The resident will need to sign the agreement and the agreement will be placed on the Council agenda in May. The deadline for this to be on the May agenda is April 27th.

RESIDENT COMMENTS:

Bonita Prewitt of 27155 Tinkers Valley Drive made an appeal to Council; Bonita thanked the Mayor and Council for the opportunity to speak this evening. This is a follow up from a meeting held in May regarding the issue. Bonita appealed to Council asking for the sum of \$3,500.00, the amount of the proposal to fix the problem.

Mark Marong questioned the homeowners; if Council is to authorize a sum of money, how would they like the agreement to be sent. After discussion, it was decided Lori will email each resident the agreement and also mail a hard copy to each.

Darryl Sinclair of 27050 Tinkers Valley Drive made an appeal to Council; Darryl thanked the Mayor and Council for the opportunity to speak this evening. He is also appealing to Council for the sum of \$3,500.00, the amount of the proposal to fix the issue. Darryl stated he will most likely have landscaping fees, but will not know what they are until the extent of the damage to the lawn.

Patrick Andrews of 27405 Tinkers Valley Drive made an appeal to Council; Patrick stated he is also appealing to Council for the sum of \$3,500.00. He also thanked Council for this opportunity.

Mayor Cegelka stated; The Armstrong family of 27305 is not in attendance this evening. Council will discuss the three families that are here and presented their request.

Mark Marong reminded Council; take every homeowner's situation separately and give specific instructions on each one by motion.

Eric Johnson questioned; can a decision be made on the homeowner that is not in attendance. Mark stated; the homeowner does have to agree, even though they did not make their demand to Council. Eric wanted to clarify that if Council does make a judgment, for the agreement to be on the May agenda it will have to be back to the Village on Thursday April 27th. Mark Marong concurred. If the homeowner wants more time, they can take more time to review but the item would not be placed on the May 3rd agenda for passage. Jeff Adie commented; since all 4 proposals were the same amount of money, he feels comfortable making a motion on the homeowners at 27305 Tinkers Valley that did not attend. Eric Johnson stated; he is willing to have the Village cover the price of the quotes. He would like to also discuss restoration of the yards. He would be willing to cover restoration of grass only since everyone has different plantings. Barb DiBacco commented; Mr. Sinclair stated he did not have knowledge of how much landscaping restoration would be. Mr. Sinclair stated; the contractor, Mr. Picone, could not determine the extent of landscaping charges until the work is complete. It depends on how much digging will be done. Andrea Sinclair stated; it is not that they are not asking for an amount for restoration, but they do not have a proposal for restoration and an amount could not be provided until the work was completed. Don Banas asked if any of the residents have sprinkler systems. Two of the residents in attendance do.

Mark Marong reminded the residents; this is the only opportunity to appeal to Council. Once Council authorizes an amount of money, the Morals Claim Release and Settlement Agreement that you will sign prohibits you to come back for any further monies as it relates to this issue. The way the Law Department can legally have Council authorize funds is through an agreement that waives your right to come back to sue or make any other claims against the Village on this issue. Darryl Sinclair asked if it is possible to add an allowance up to a certain dollar amount for restoration. Mark Marong stated; if any homeowner wants to make that demand to Council, now is the time.

Darryl Sinclair requested an amount of up to \$2,000 for landscaping restoration in addition to the \$3,500.

Kevin Prewitt requested an amount of \$1,000 for landscape restoration in addition to the \$3,500.

Patrick Andrew requested an amount of \$2,000 for landscaping restoration in addition to the \$3,500.

Jeff Adie stated; he is not comfortable with the amount requested or an up to amount. He would be willing to do a set amount. Barb stated; she would be willing to authorize a set amount of \$300 for each homeowner. Gurvis Smith commented; \$300.00 is a little low and feels \$500.00 is a fair amount. Don Banas stated; he is agrees \$500.00 is a fair amount is prepared to make a motion. Eric Johnson stated; there will be a time frame of approximately six months for the work to be completed and the check will be in a one lump sum. By signing, the homeowners are agreeing to pay the contractors and all claims will be released against the Village. Eric Johnson stated; he would like the motion to state all permit fees to be waived, excluding the Contractor Registration Fee.

Bonita Prewitt questioned; if the contractor does damage on Village property or in the street, if the homeowners would be held responsible. Mark Marong commented; the contract between the contractor and the homeowner is a private contract amongst those two parties only.

Jeff Adie questioned; if contractors are required to be bonded and insured. Mark Marong commented; that is a question for the Building Official.

Motion by Don Banas seconded by Gurvis Smith to authorize the sum of \$4,000.00 to the homeowners of 27405 Tinkers Valley Drive subject to the Moral Claims and Settlement Agreement and waiving all permit fees.

Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith,
Nays— None

5 yeas – 0 nays
Motion carried

Motion by Don Banas seconded by Gurvis Smith to authorize the sum of \$4,000.00 to the homeowners of 27155 Tinkers Valley Drive subject to the Moral Claims and Settlement Agreement and waiving all permit fees.

Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith,
Nays— None

5 yeas – 0 nays
Motion carried

Motion by Don Banas seconded by Gurvis Smith to authorize the sum of \$4,000.00 to the homeowners of 27050 Tinkers Valley Drive subject to the Moral Claims and Settlement Agreement and waiving all permit fees.

Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith,
Nays— None

5 yeas – 0 nays
Motion carried

Motion by Don Banas seconded by Gurvis Smith to authorize the sum of \$4,000.00 to the homeowners of 27305 Tinkers Valley Drive subject to the Moral Claims and Settlement Agreement and waiving all permit fees.

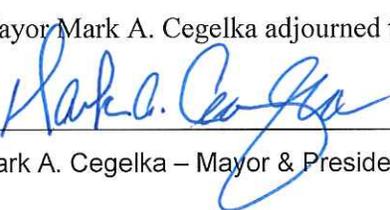
**Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith,
Nays— None**

**5 yeas – 0 nays
Motion carried**

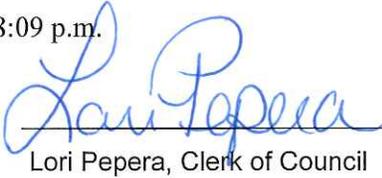
COUNCIL COMMENTS:

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 8:09 p.m.



Mark A. Cegelka – Mayor & President of Council



Lori Pepera, Clerk of Council