

Village of **Glenwillow**

Honoring the Past - Welcoming the Future

Council Meeting – Council Chambers  
April 5, 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, Larry Sylver

Others Present: Law Director Mark Marong, Finance Director John Veres, Engineer Mike Henry, Chief Michael Megyesi, Economic Development Director Peggy Spraggins, Clerk of Council Lori Pepera

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**Motion by Barb DiBacco seconded by Eric Johnson to convene into Executive Session for the purpose of discussing pending litigation, Economic Development and negotiations with a political subdivision at 7:33p.m.**

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

6 yeas – 0 nays  
Motion carried

Regular Council meeting reconvened at 8:03p.m.

**APPROVAL OF MINUTES**

The minutes of the Regular Council Meeting of March 15, 2017 were approved as presented. (DiBacco/Adie)

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

5 yeas – 0 nays  
Motion Carried

**PAY ORDINANCE**

Ordinance No. 2017-4-16

The Pay Ordinance was approved as presented. (Johnson/Sylver)

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

6 yeas – 0 nays  
Motion carried

Discussion took place on the down payment of the Berry Property. The Law Director explained; the Village made a down payment on the property to the Western Reserve Land Conservancy and they are actively searching for grant funds to offset the cost.

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**CORRESPONDENCE & MAYOR'S REPORT:**

The following were attached in the Mayor's packet:

- Attached is the Mayor's Court Report for the month of March 2017.
- Attached is a copy of the monthly Building Department activity for March 2017. The report gives details of all permit activity.
- Attached are reports showing active foreclosures, rental properties, and homes for sale for the month of March.
- Attached is a copy of a check received from Republic Services in the amount of \$3,599.58 for the month of February.
- Attached is a copy of a check received from Charter Communications in the amount of \$2,535.66 for cable TV franchise fees for the month of March.
- Attached is a copy of the activity report from Chief Megyesi showing all police activity for the month of March.
- Attached is a copy of the activity report from Chief Megyesi showing all warning traffic tickets issued for the month of March.
- Attached is a copy of the report supplied by Chief *Megyesi*, reporting streetlight outages to Solon FirstEnergy Service Center; Date of Report April 4, 2017.
- Attached is an article listing Glenwillow as one of the law enforcement agencies that have adopted statewide standards designed to improve the relationship between communities and the Police Departments
  - Attached is a report from Economic Development Director Peggy Spraggins with updates on the following;  
CRA reporting for 2016  
InterDesign Addition  
GED Integrated  
New Businesses-The Mayor and Peggy met with another potential new business.  
Cuyahoga Solid Waste District Grant
- Attached is a letter from the Cuyahoga County Solid Waste District notifying the Village they approved our grant request for the amount of \$5,000.00.
- Attached is a letter from Cuyahoga County executive Armond Budish notifying the Village that the County Department of Development recommended the Village receive a Community Development Supplemental Grant in the amount of \$50,000 for park construction planned on Pettibone Road. InterDesign has also donated \$22,000 for the Park construction

- Attached is an email from the Ohio Rail Development Commission with an update on the Richmond Road railroad crossing;  
The PUCO will work with CCRL to relocate existing unused Lights/Gates from crossing #917045T (Belmar Rd) to be reused at Richmond Rd.  
The ORDC will look to partner with CCRL to replace the existing crossing surface, preferably a concrete tub, with a cost split to be determined.  
Chagrin Valley Engineering will design and initiate a project on behalf of Oakwood and Glenwillow Villages, with funds secured through OPWC (2018 or 2019 start) that will address roadway elevations and drainage issues at this crossing.  
CCRL will work to clean their NE Quad Ditch line to expedite the runoff of surface water from Richmond Rd.
- Attached is a memo listing available land in the Village along with maps of each of the business areas and where it is located.
- Attached is the Service Department report for the month of March 2017 from Service Director Sam Scaffide.
- Attached are the reports from Court Community Service reporting litter collection was performed on March 11<sup>th</sup> and April 2<sup>nd</sup> on Pettibone Rd., Cochran, Bond St., Tinkers Court, and Diamond Parkway. A total of 22 bags of litter were collected.
- Attached is a copy of the invoice and activity report from A & S Animal Control for the month of March 2017.
- Attached is the monthly report from Greenfields Environmental for the inspections of the DNP Recreation Complex and Avery Lake for March 2017.
- Attached is an article posted by news channel 5 reporting some residents in Ravenna demand train horns be required at Ohio Railroad crossings after a fatal crash occurred when a 15 year traveling with her family was killed and the train did not sound its horn.
- Attached is the 2016 annual statistical report from the Cuyahoga County Board of Health.
- Attached is a copy of the legislative bulletin from the Ohio Municipal League dated March 3<sup>rd</sup>, March 10<sup>th</sup> and March 24<sup>th</sup>.
- Attached is an article that appeared in the Solon Times reporting the City of Solon was not notified by Wheeling & Lake Erie Railroad about work that was being done on the tracks at the only entrance to the Development, Arthur Meadows. The entrance was blocked for an hour.
- Attached is an article from the Solon Times reporting homes in Moreland Hills that have septic systems are polluting the streams. The options to fix the problems are; keep the

septic systems and mandate that the failed ones be replaced or install a sewer system that requires residents to tie in.

- Attached is an article that appeared in Crain's Cleveland reporting FirstEnergy is lowering their rates to undercut NOPEC's rates. They are applying a 6% discount.
- Attached is an article discussing the importance of Personnel Policies and creating or revising as needed to avoid or cause problems with difficult personnel matters.
- Attached is an article regarding the pace and development of Medical Marijuana Facilities in Ohio. A moratorium was put in place to freeze the establishment of marijuana businesses and may need to extend through 2017. Without rules for licensing, cultivation and dispensing the industry cannot operate in Ohio.
- Attached is a media release from Cleveland Mayor Frank G. Jackson announcing a lawsuit opposing Senate Bill 331; against the State of Ohio. The bill prevents municipalities from regulating commercial installation of wireless cell equipment in public spaces.
- Attached is an article from the Solon Times reporting the Solon School District and the City are both fighting to protect the Tangible Personal Property Tax that is in jeopardy. The school district is projected to lose 2.2 million dollars in 2017 and a remainder of 8.3 million is to be slated out after that.
- Attached is an article regarding pay raises in Orange Village for Council and the Mayor. Council proposed a \$700.00 a month pay to \$1000.00 a month pay increase for them with the Council Presidents pay from \$800.00 a month to \$1,000.00 a month. The Mayor's salary would increase from \$47,500.00 to \$55,000.00 annually.
- Attached is an article showing a new Veterans Plaza in the Village of Silverton. It includes a Korean War monument and a fountain.
- Attached is an article regarding FMLA and the requirements the employer must provide. FMLA allows employees to take a leave to attend to personal and family health matters for up to 12 weeks with job assurances.
- Attached is an article from Crain's Cleveland on Village resident Terrence Robinson and his position as Executive Director of Magnet's Early College Early Career Program.
- Attached is notice the Heritage Home Program will be holding a free community session April 26<sup>th</sup> at 6:30 pm at Bedford City Hall. The Heritage Home Program is available to owners of Glenwillow homes that are 50 years and older. Qualified homeowners also have the option of obtaining a low-interest, fixed-rate Heritage Home Program loan.
- Attached is information on Cleveland Water's commitment and services they supply to their customers including the new monthly billing information. There is an open house

on May 13<sup>th</sup> from 10 am to 4 pm at the Nottingham Water Treatment Plant located at 1300 Chardon Road, Cleveland, OH 44117.

- Attached is a letter that went out to residents on Pergl Road in the Phase III Sewer Project notifying them installation will begin in late spring. A meeting has been scheduled with the residents to answer any questions on Wednesday April 12<sup>th</sup> at 7 pm.
- Attached is a thank you letter from resident Rosemarie Hojdar for the Christmas gifts the Village delivered to her. She would not take the food basket but did accept a warm blanket, slippers and a warm sweatshirt that were donated.
- Attached is a thank you note from Peggy and Larry Spraggins for the flower basket the Village sent with condolences of the passing of Peggy's sister.
- Full time Patrolman Keith Sanicky is leaving the force for personal reasons effective May 1, 2017.

**FINANCE DIRECTOR JOHN VERES:**

- John Verses reported he has completed the annual TIF filing status report for 2016. These reports will be used in the TIRC meeting later this year. Joe Miccula the Council Representative is being replaced by John Dobec.

**LAW DEPARTMENT MARK MARONG:**

- Mark Marong requested Resolution No. 2017-3-13 *amending Resolution 2008-5-7 to change the title of the Glenwillow Resident-Solon High School Senior Scholarship Program, amend residency requirements to include residents graduating from a private high school and amend the amount of scholarship funds available to each Glenwillow graduate*, be placed on second reading and referred to the Finance Committee.
- Request to put Ordinance No. 2017-4-17 *authorizing a Community Reinvestment Area Tax Abatement Agreement by and between the Village of Glenwillow, GED Cashew Partners, LLC, and GED Integrated Solutions, Inc.*, on first reading and a motion to remove Ordinance No.2017-4-18 *certifying notice of a proposed Community Reinvestment Area Agreement to the Solon Board of Education* from the agenda.
- Items 6 & 7 on the agenda are in support of the Solon Schools and protecting the Tangible Personal Property Tax reimbursements and opposing HB48 which proposes centralized collection of net profit tax returns. The Clerk will send signed copies of these to the Solon City School Board and the Ohio Representatives.
- Items 8& 9 on the agenda are an Assignment and Assumption of Job Creation Grant Agreement with Southern Glazer's Distributors due to restructuring of the company and distribution of the Job Creation Income Tax
- In October of 2016 Council passed a 6 month moratorium on the cultivation, processing and dispensing of medical marijuana. He asked for a motion to extend the moratorium for 6 months

and refer the issue to a committee. This may need zoning changes. The committee may do one of two things; allow it or prohibit the cultivation, processing or dispensing.

**Motion by Eric Johnson seconded by Gurvis Smith to extend the moratorium on the cultivation, processing and dispensing of medical marijuana for 6 months.**

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

**6 yeas – 0 nays  
Motion carried**

**Motion by Larry Sylver seconded by Don Banas to refer the cultivation, processing and dispensing of medical marijuana to the Building & Housing Committee for review.**

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

**6 yeas – 0 nays  
Motion carried**

**ENGINEER MIKE HENRY:**

- Engineer Mike Henry reported on the safety issues at the Richmond Road railroad crossing. The Village and the Public Transportation Safety Commission received a letter from a motorist that travels over the tracks. This brought up a red flag. Mike Henry met on site with Oakwood, the PUCO, Cleveland Commercial Railroad and the Ohio Rail Authority Commission. They discussed taking gates from another location that has low traffic and place them there. The tubs will also be improved. The Railroad will start work this year and will finish early next year. The elevation of the area will be raised and the rails will be flattened The Village will apply for funding through OPWC and will start work in 2019.
- Mike reported on the Quiet Zone. Alternate safety measures are being looked at and the Village should hear something late summer or early fall. Larry Sylver questioned if delineators were to be installed at the tracks on Pettibon, how far would they extend and if it would cause a concern for pulling in and out of the Grille. Mike stated they have to extend 100 feet and would not go beyond the drive to the Grille.
- Mayor Cegelka announced Jim Northcraft, Vice President of Transportation at Wheeling & Lake Erie Railway Company, will be at the April 19<sup>th</sup> Council meeting to answer any questions. Mayor Cegelka requested the Infrastructure Committee discuss the issue.
- The Pergl Road Sewer Project should begin May 1, 2017 and be finished at the end of June.
- Mike requested a motion be made to prepare the plans and specs for the Pettibone Glen retention basin.

**Motions by Gurvis Smith seconded by Don Banas to have the Engineer prepare design plans and specs for the Pettibone Glen retention basin.**

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

**4 yeas – 0 nays  
2 abstain  
Motion carried**

**POLICE CHIEF MICHAEL MEGYESI:**

- Chief Megyesi reported; all reports were submitted in the Mayor's Report
- The new Police vehicle is now in service.
- The new radios are in and need programmed and certified for the Village to be in the system before the Department can start using them.
- The Patrolman have had the ATV out in the neighborhoods.
- The Police Department is adopting the Ohio Standards and therefore is making some adjustments to the policies and mandates as needed.

**BUILDING OFFICIAL BOB RODIC:**

- Building Official Bob Rodic reported; the Building Department configured the Operational Report that was requested by the Insurance Service Organization (ISO) for the 5 year audit. The ISO has a grading system for Building Department effectiveness. They will look at staffing, personnel, training, background and experience.
- There will be ARB & Planning Commission meetings on April 12, 2017. ARB has applications for a new sign for the K Company and a Building Permit application from the Oddfellows Camp. Planning Commission has a landscape review for Interdesign.
- Dave and Natalie will both be attending Green Print training on Tuesday April 11<sup>th</sup>.

Mayor Cegelka reported Service Director Sam Scaffide is on Vacation. Sam is looking into buying a used chipper to continue to offer the residents the free chipping program and keeping it in house rather than outsourcing. Barb Dibacco will call a Safety/Service meeting to discuss.

**ECONOMIC DEVELOPMENT DIRECTOR PEGGY SPRAGGINS:**

- Economic Development Director Peggy Spraggins passed out a supplement with item 3 on the agenda regarding the CRA Agreement with GED. Peggy also did an analysis of all the CRA Agreements the Village has; 3 are rolling off in 2016 and 4 more in 2019.
- Plans need finalized for the proposed Pettibone Road Park. The Village is awaiting the contract with the County and expects it in the next week or so and to be on the May 3, 2017 agenda and will go out for bids in June.

**ARB & PLANNING COMMISSION REPORT:**

- Eric Johnson reported; there was a Special Planning Commission meeting held on March 30<sup>th</sup> for tree clearing at the site where GED will be located. The request was approved. Larry asked if there were any issues during the clearing process. Mike stated; there were no issues. Barb DiBacco asked if the silt fence was installed. Mike stated; it was.

**OLD BUSINESS:**

2017-3-13  Resolution	<p><b>A Resolution amending Resolution 2008-5-7 to change the title of the Glenwillow Resident-Solon High School Senior Scholarship Program, amend residency requirements to include residents graduating from a private high school and amend the amount of scholarship funds available to each Glenwillow graduate; and declaring an emergency. (Mayor &amp; Council)</b></p> <ul style="list-style-type: none"><li>• Resolution put on Second Reading</li></ul>
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**Motion by Don Banas seconded by Larry Sylver to refer Resolution No. 2017-3-13 to the Finance Committee.**

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

**6 yeas – 0 nays  
Motion carried**

**NEW BUSINESS:**

<p>2017-4-17 Ordinance</p>	<p><b>An Ordinance authorizing a Community Reinvestment Area Tax Abatement Agreement by and between the Village of Glenwillow, GED Cashew Partners, LLC, and GED Integrated Solutions, Inc.; and declaring an emergency. (Mayor &amp; Council)</b></p> <ul style="list-style-type: none"><li>• <b>Ordinance put on First Reading</b></li></ul>
<p>2017-4-18 Ordinance</p>	<p><b>An Ordinance certifying notice of a proposed Community Reinvestment Area Agreement to the Solon Board of Education; and declaring an emergency.(Mayor &amp; Council)</b></p> <ul style="list-style-type: none"><li>• <b>Motion to remove Ordinance No. 2017-4-18 from Agenda (Adie/Smith)</b> Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None</li></ul> <p>6 yeas – 0 nays</p>

<p>2017-4-17 Resolution</p>	<p><b>A Resolution authorizing the Mayor to enter into a renewal contract with Greenfields Environmental Group, Inc. for a geese management program for the Village Town Center Park and Donald Norman Payne Recreational Complex; and declaring an emergency.(Mayor &amp; Council)</b></p> <ul style="list-style-type: none"> <li>• Motion to suspend 3 reading rule (Sylver/Smith) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Motion carried</li> <li>• Motion to approve (Adie/DiBacco) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Resolution carried</li> </ul>
<p>2017-4-18 Resolution</p>	<p><b>A Resolution in support of the Solon City Schools and protecting tangible personal property tax reimbursements; and declaring an emergency. (Mayor &amp; Council)</b></p> <ul style="list-style-type: none"> <li>• Motion to suspend 3 reading rule (Smith /Johnson) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Motion carried</li> <li>• Motion to approve (Banas/Johnson) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Resolution carried</li> </ul>

<p>2017-4-19 Resolution</p>	<p><b>A Resolution opposing portions of the State of Ohio proposed 2017-2018 budget (HB49), which proposes centralized collection of net profit tax returns and other provisions related to the municipal income tax which will cause a substantial loss of revenue needed to support the health, safety, welfare, and economic development efforts of Ohio municipalities; and declaring an emergency. (Mayor &amp; Council)</b></p> <ul style="list-style-type: none"> <li>• Motion to suspend 3 reading rule (Sylver/DiBacco) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Motion carried</li> <li>• Motion to approve (Banas/Johnson) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Resolution carried</li> </ul>
<p>2017-4-20 Resolution</p>	<p><b>A Resolution authorizing the Mayor to enter into an Assignment and Assumption of Job Creation Grant Agreement with Southern Glazer’s Distributors of Ohio, LLC located at 7800 Cochran Road, Glenwillow, Ohio 44139; and declaring an emergency. (Mayor &amp; Council)</b></p> <ul style="list-style-type: none"> <li>• Motion to suspend 3 reading rule (Adie/DiBacco) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Motion carried</li> <li>• Motion to approve (Johnson/Banas) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Resolution carried</li> </ul>

<p>2017-4-21 Resolution</p>	<p><b>A Resolution approving the 2016 Job Creation Income Tax Credit Grant to Southern Glazer’s Distributors of Ohio, LLC; and declaring an emergency. (Mayor &amp; Council)</b></p> <ul style="list-style-type: none"> <li>• Motion to suspend 3 reading rule (Johnson/Smith) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Motion carried</li> <li>• Motion to approve (Johnson/DiBacco) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None  6 yeas – 0 nays Resolution carried</li> </ul>
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**COUNCIL COMMENTS:**

Larry Sylver scheduled a Recreation Meeting on May 3, 2017 at 6:30 p.m.

Barb DiBacco scheduled a Safety/Service Meeting on May 3, 2017 at 6:00 p.m.

Gurvis Smith scheduled a Building & Housing Committee Meeting on May 17, 2017 at 6:30 p.m.

Don Banas scheduled an Infrastructure Meeting on April 19, 2017 at 6:00 p.m.

Eric Johnson scheduled a Finance Committee Meeting on April 19, 2017 at 7:00 p.m.

Don Banas reported; the residents involved with the cross connections in the Tinkers Creek Subdivision may want to attend the Council meeting on April 19<sup>th</sup> and suggested Council be prepared to make some decision, if any, as what to do with the four homes. Mark Marong explained the process that is to happen with owners of the four homes; the individual homeowners will present and make a request and Council, by motion, will instruct the Law Director what to do and what amount to authorize if any. A standard release and settlement agreement will be prepared. Barb DiBacco questioned if Council may call an Executive Session to discuss. Mark Marong stated; discussion has to be public. Jeff Adie questioned if the homeowners will be presenting a cost where landscaping is separate from the actual work. Mark Marong stated; this will be Council’s opportunity to ask questions of the resident. Don Banas questioned;

if a dollar amount is indicated, and the actual cost for the repairs are less, if the motion can be stated not to exceed the actual cost. Mark Marong stated; he needs an actual dollar amount. Eric Johnson asked if each homeowner is being treated individually. Mark Marong confirmed. Discussion took place on the process and what could be placed in the motion, in regards to putting in a completion date. Gurvis suggested the homeowners turn in estimates before the meeting to review. Barb DiBacco requested a site plan to see exactly where the four homes are located.

Larry Sylver reported he cannot attend the April 19, 2017 Council Meeting.

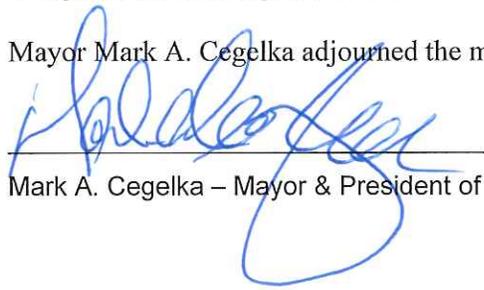
Jeff Adie reported he walks his dog through the Glenwillow Place Development and lets his dog run around the baseball field. He often sees other residents there who let their dogs do the same and would like consistency with the Police Department. He had spoken with other residents and learned there some officers have been ok with the dogs running around and some have not. Jeff stated; he sees a need for a dog park and thinks there is an interest in one from other residents. Mayor Cegelka stated; it can be further discussed if there is an interest and the key is to find a location that would be useful to all of the residents in the Village.

**CITIZEN COMMENTS:**

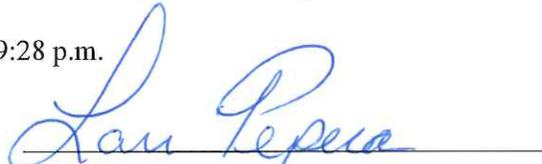
**None**

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

Mayor Mark A. Cegelka adjourned the meeting at 9:28 p.m.



Mark A. Cegelka – Mayor & President of Council



Lori Pepera, Clerk of Council