

VILLAGE OF BOSTON HEIGHTS

COUNCIL MEETING AGENDA

TUESDAY, JULY 12, 2016

7:00 PM

CALL TO ORDER - BILL GONCY, MAYOR

PLEDGE OF ALLEGIANCE

ROLL CALL

R.Antal **NO** - B.Bartko **X** - J.Miller **X** - H. Davis **X** - R.Fenn **X** - D.Polyak **X**

ALSO: Mayor Bill Goncy, Fiscal Officer Betty Klingenberg, Solicitor Marshal Pitchford, Zoning Inspector Fritz Alderman (for Engineer Dave Krock / OHM Advisors)

APPROVAL OF AGENDA Motion to adopt agenda as presented to Council

APPROVED with Mr. Bartko abstaining as he had been unable to read the draft agenda emailed to him last week.

Note that Ordinance 2016-7-10 was added to the draft agenda.

OPEN FORUM

NONE

CORRESPONDENCE

Mayor Bill Goncy read a thank-you note to the Village's Police Department from a family in the Village, sent in light of the recent shooting of police officers in Dallas.

APPROVAL OF MINUTES:

MINUTES - June 14, 2016

Special Meeting - June 21, 2016

Both APPROVED w/o corrections

ORDINANCES

ORDINANCE 2016-6-9
(Second Reading)

**HELD FOR 3rd READING &
public hearing.**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 1143.99
AND REPEALING CODIFIED ORDINANCE 1175.99
REGARDING PENALTIES FOR IMPROPER STORAGE
FACILITIES, AND CODIFIED ORDINANCE 1177.04 REGARDING
IMPROPER TREE AND TIMBER CUTTING, AND DECLARING
AN EMERGENCY

Ed. Note: The required public hearing for this change to the Zoning Code will be held on 9 August 2016 at 6:30PM. This measure is intended to clarify and standardize the penalties for violation of the Zoning Code, allowing for stepped increases of civil fines for continuing violations.

ORDINANCE 2016-7-10
(First Reading)

**HELD FOR 2nd READING &
public hearing.**

AN ORDINANCE ESTABLISHING C.O. 1171.13 AN ORDINANCE
PROHIBITING UNLICENSED PARKED VEHICLES WITHIN THE
VILLAGE, AND DECLARING AN EMERGENCY

Ed. Note: The required public hearing for this change to the Zoning Code will be held on 23 August 2016 at 6:30PM. The Village already has a similar measure in its Traffic Code; this is intended to move the enforcement into the hands of the Zoning Inspector, and clarify a few points of compliance.

RESOLUTIONS

RESOLUTION 2016-7-30
(First Reading)

ADOPTED: RES 2016-7-30

A RESOLUTION DECLARING THE MONTH OF AUGUST 2016
SUMMIT KIDS MONTH IN THE VILLAGE OF BOSTON
HEIGHTS AND ENCOURAGE THE CITIZENS OF BOSTON
HEIGHTS TO JOIN IN THIS ACKNOWLEDGMENT AND
SUMMIT COUNTY, AND DECLARING AN EMERGENCY

**Mayor Goncy noted that supporting materials may be obtained from the Village Hall. See also the Summit County Kids website:
<http://www.summitkids.org>**

RESOLUTION 2016-7-31
(First Reading)

ADOPTED: RES 2016-7-31
vote: 4-1 with
Mr. Bartko "NO",
comprising 2/3 of Council.

A RESOLUTION ON A PROPOSED RENEWAL OF A TAX LEVY EXCEEDING THE TEN (10) MILL LIMITATION FOR THE PURPOSES OF GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROAD, AND BRIDGES RESURFACING AND REPAIR OF STREETS, ROAD, AND REPAIR OF STREETS, ROADS, AND BRIDGES (O.R.C. 5705.10(G)) AND DECLARING AN EMERGENCY

Fiscal Officer Klingenberg explained that this is to authorize the placement on the November ballot of the proposed renewal of the existing Village Road Levy. This pays for part of the annual repairs to the Village roadways, bridges, etc. There would be no change in the millage rate

Note that under current Ohio law, only renewal levies qualify for the State's former 10% and 2.5% rollbacks (co-payment by the State, thus reducing the local taxpayer's rate.)

RESOLUTION 2016-7-32
(First Reading)

ADOPTED: RES 2016-7-32

A RESOLUTION APPROVING 2017 BUDGET FOR SUBMISSION TO THE SUMMIT COUNTY BUDGET COMMISSION AND DECLARING AN EMERGENCY

Fiscal Officer Klingenberg explained that this is the standard annual measure required by State law, to prepare to "open the books" next year. She further noted that this budget does not include revenue from the proposed renewal of the Road Levy (above), as that is not a "done deal" until the voters have their say in November.

REPORTS MAYOR

B. GONCY

Mayor Gony noted that the Recreation Advisory Commission (Park Board) has canceled their planned Flea Market for 2016. He also reported that the services of the Sheriff's Crash Team would be taken over by a new Summit Metro Crash team; a police officer from the Village would continue to server on this new team, and a new fee of several hundred dollars would be paid so that the Village would continue to benefit from the vehicle crash follow-up services offered. Mr. Gony also reported that a pre-construction had just been held on the upcoming local street paving project.

FISCAL OFFICER

B. KLINGENBERG

Fiscal Officer Klingenberg noted that she had distributed the May 2016 fiscal reports to Council. She also explained the new employee's health insurance plan, which she plans to change from Humana to Principal Insurance Co. She will seek a Council resolution to that effect at a short Special Council Meeting to be held on July 26th just before the Finance Committee meeting.

COMMITTEE REPORTS:

SAFETY COMMITTEE / VALLEY FIRE DISTRICT R. ANTAL

In Councilor Antal's absence, Mayor Goncy noted that there had been no Safety Committee meeting in June. The Mayor had attended the recent Valley Fire District meeting and reported that the Village's Fire and Dispatch contracts both need to be negotiated.

ROADS COMMITTEE R. FENN

Councilor Ron Fenn reported that there had been no Roads Committee meeting in June; at Mr. Polyak's request, a meeting for Monday July 18th was scheduled at 5PM. Mr. Polyak expected to have some updates on the proposed bike paths through the Village.

CEMETERY TRUSTEES R. FENN

[CEMETERY COMMITTEE]

Councilor Ron Fenn reported that the Fairview Cemetery Association will have a work session on Saturday, July 16th at 9AM-12Noon. That group's annual Craft Fair will be held on November 19th, and handcrafters and their wares are sought for that event.

LANDS AND BUILDINGS COMMITTEE / PARK J.MILLER

Councilor Janet Miller noted that this committee will meet immediately after the next Roads Committee, probably about 5:30PM on July 18th. Replying to an inquiry from Mrs. Miller, F.O. Klingenberg reported that she expected to approach Costco about hosting a community bulletin board on their premises, and making that an official "posting place" for the Village.

COMMUNITY DEVELOPMENT COMMITTEE J.MILLER

No report

PLANNING COMMISSION / BZA D. POLYAK

[ZONING COMMITTEE]

Councilor Don Polyak having been absent, Councilor Davis reported that the Planning Commission had discussed various updates to the Zoning Code, and had started review of the Hines Hill Corridor zoning overlay proposal.

ENGINEER D. KROCK

Zoning Inspector Fritz Alderman, reporting for OHM Advisors and Mr. Krock, reported that the Northwest Residential Waterline Project was largely complete, and the Village was working with the contractor to ensure that the final landscaping issues were tidied up. He also noted that the Hines Hill Corridor proposal was sent to the Planning Commission. No news has been received on a "Tiger Grant" sought by the Village from OPWC for paving projects, but Mayor Goncy noted that such a grant had just been received for part of the cost of culvert replacements down Olde Eight Road. Mr. Alderman also reported that both local and Akron-Cleveland Road paving projects were moving ahead, with two different contractors, and that residents would be notified of possible disruptions and driveway cuts. Councilor Polyak asked Mr. Alderman if the somewhat outdated 5-year Capital Improvements Plan could be updated, hopefully in advance of the Road Levy renewal campaign. This will be discussed at the Roads Committee meeting.

OLD BUSINESS

REMINDER: PUBLIC MEETING
AUGUST 9, 2016 – 6:30 PM
AMENDING ORDINANCE – 1143.99
AND REPEALING ORDINANCE 1175.99

Also: Public Meeting, August 23, 2016 at 6:30 for ORD 2016-7-10

Councilor Bartko complained “for the record” that the Solicitor had not responded to his request, at the May Council meeting, for a legal opinion on the legality of the Village’s disposal of its old International truck. (Ed. Note: apparently this was scrapped out under ORC 721.15(A) as the Mayor had estimated its worth to be less than \$1000; Mr. Bartko has stated that he felt it was worth more and should have gone to public auction.) Solicitor Pitchford replied that he had in fact looked into the matter and, in consultation with the Fiscal Officer and the State Auditor’s office, had determined that the disposal was handled properly and legally. He explained that he had at the time asked Mr. Bartko to contact him with specifics on his concern, and having heard nothing more, left it at that. He apologized for any misunderstanding.

NEW BUSINESS

Mayor Goncy announced that the Summit County Health District was offering \$10 well water testing, and that sample kits were available at the Village Hall. In response to a question from Mrs. Miller, he reported that no further specifics were yet obtained for a proposed water main extension up Olde Eight Road from Route 303 to Parkside Estates and thence to the Girl Scouts’ Camp Ledgewood, but that the proposal was still in play.

Mr. Bartko asked whether the Village had a solicitation ordinance, in light of a constituent’s complaint about religious door-to-door solicitors. Solicitor Pitchford explained that the Village did indeed have such an ordinance, but that it was revised in 2013 to be less restrictive for religious solicitors in compliance with court decisions on freedom of religion. Mrs. Miller suggested that “No Solicitors” signs could be of help in the matter.

EXECUTIVE SESSION

NONE

ADJOURN

NOTICE

The complete text of each such Ordinance or Resolution may be obtained or viewed at the Boston Heights Village Hall, 45 East Boston Mills Road in the Office of the Fiscal Officer during office hours.