RECORD OF PROCEEDINGS

Minutes of VILLAGE OF VALLEY VIEW REGULAR COUNCIL Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held OCTOBER 4, 20 16

CAUCUS STARTED AT 7:00 PM. MAYOR PIASECKI WENT OVER THE AGENDA FOR THE COUNCIL MEETING. ORDINANCES 2016-9-12 AND 2016-9-13 (REBATE ORDINANCES) ARE ON SECOND READING. ORDINANCE 2016-10-2 FOR KAPLAN TRUCKING WAS ORIGINALLY PASSED IN JULY BUT SINCE THEN THE PROPERTY HAS BEEN SOLD SO WE NEED A NEW ORDINANCE AND EASEMENT. WE HAVE AN APPLICATION FROM CINEMARK USA FOR THE CONTINUATION OF A LIQUOR PERMIT. DO WE WANT A HEARING? COUNCILMAN WINGENFELD ASKED WHAT IS AN A / C PERMIT? LAW DIRECTOR LAMBROS REPLIED IT IS AN ON PREMISES PERMIT FOR MIXED DRINKS, BEER AND WINE. COUNCILMAN WESTFALL STATED THAT OFF DUTY POLICE OFFICERS ARE ALWAYS DOWN THERE WORKING SECURITY. COUNCIL DETERMINED THAT WE DO NOT NEED A HEARING. CAUCUS ENDED AT 7:06 PM.

PRESENT: COUNCILPERSONS WINGENFELD, WYATT, BOROWY, WESTFALL, ENGINEER SCIANO, FIRE CHIEF KOSCIELSKI, BUILDING COMMISSIONER ELLIS, RECREATION DIRECTOR VON VILLE, LAW DIRECTOR LAMBROS, CLERK-TREASURER TOMASKO.

ABSENT: COUNCILMAN PERK, POLICE CHIEF MARCH, STREET COMMISSIONER SOLDAT.

MAYOR PIASECKI PRESIDED.

MEETING WAS CALLED TO ORDER AT 7:30 PM.

MOVED BY BOROWY, SECONDED BY WYATT, TO ACCEPT THE MINUTES OF SEPTEMBER 13, 2016 AS RECEIVED.
ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

ORDINANCE: 2016-9-12
AN ORDINANCE DETERMINING A ONE-TIME REBATE FOR REAL ESTATE TAXES TO RESIDENTIAL HOMEOWNERS WITHIN THE VILLAGE OF VALLEY VIEW DURING THE YEAR 2016 WAS READ BY TITLE ONLY AND INTRODUCED BY COUNCILMEN WINGENFELD AND PERK.
THIS ORDINANCE IS ON SECOND READING.

MAYOR PIASECKI STATED THAT THE DATE MENTIONED FOR THE MAILINGS OF THE REBATES, IN THE ORDINANCE, IS NOVEMBER 15, 2016. IF THIS ORDINANCE GOES TO THE NOVEMBER MEETING IT IS UNLIKELY WE WILL BE ABLE TO MEET THAT DATE. THE SPONSORS NEED TO DETERMINE THE NEW DATES AND GET IT TO THE LAW DIRECTOR.

ORDINANCE: 2016-9-13
AN ORDINANCE DETERMINING A ONE-TIME REBATE FOR REAL ESTATE TAXES TO RESIDENTIAL HOMEOWNERS WITHIN THE VILLAGE OF VALLEY VIEW DURING THE YEAR 2016 WAS READ BY TITLE ONLY AND INTRODUCED BY COUNCILMEN WESTFALL AND WYATT.
THIS ORDINANCE IS ON SECOND READING.

MOVED BY WESTFALL, SECONDED BY WYATT, TO SUSPEND THE RULES AND PLACE ORDINANCE 2016-9-13 ON THIRD AND FINAL READING.
ROLL CALL: AYE; WYATT, WESTFALL.
NAY; BOROWY, WINGENFELD.
MOTION DEFEATED.

THIS ORDINANCE IS ON SECOND READING.

COUNCILMAN WINGENFELD STATED THAT HE WAS CONFUSED AS TO WHICH ORDINANCE COUNCILMAN WESTFALL WAS SUPPORTING/ THERE IS AN ORDINANCE IS FOR $400.00 AND AN ORDINANCE FOR $200.00/$400.00 THAT HE HAS INTRODUCED.

COUNCILMAN BOROWY ASKED HOW WILL CLERK TOMASKO KNOW WHO IS 65 AND OVER.

LAW DIRECTOR LAMBROS STATED CLERK TOMASKO WOULD BE RESPONSIBLE FOR HAVING PROPERTY OWNERS COME DOWN AND SHOW PROOF OF AGE. THERE WILL BE A ROSTER DATE THAT WILL BE USED AS THE CUT-OFF DATE.

COUNCILMAN BOROWY ASKED HOW IT WOULD WORK WITH 2 PROPERTY OWNERS BUT ONLY ONE IS 65. HE USED COUNCILMAN WESTFALL'S PROPERTY ON HATHAWAY ROAD AS AN EXAMPLE.

COUNCILMAN WYATT STATED HE ONLY VOTED TO SUSPEND THE RULES ON THE $400.00 REBATE.

ORDINANCE: 2016-10-1
AN ORDINANCE TO PAY CERTAIN CLAIMS THEREIN MENTIONED DURING THE MONTH OF SEPTEMBER, 2016 WAS READ BY TITLE ONLY AND INTRODUCED BY COUNCILMAN PERK.

MOVED BY WYATT, SECONDED BY BOROWY, TO SUSPEND THE RULES AND PLACE ORDINANCE 2016-10-1 ON THIRD AND FINAL READING.
ROLL CALL: AYE; BOROWY, WESTFALL, WINGENFELD, WYATT.
MOTION CARRIED.

MOVED BY WESTFALL, SECONDED BY WINGENFELD, TO PASS ORDINANCE 2016-10-1.
ROLL CALL: AYE; BOROWY, WESTFALL, WINGENFELD, WYATT.
MOTION CARRIED.

ORDINANCE: 2016-10-2
AN ORDINANCE ACCEPTING A PERPETUAL RIGHT OF WAY AND EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF A SANITARY SEWER ON ROCKSIDE ROAD IN THE VILLAGE OF VALLEY VIEW, OHIO WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

MAYOR PIASECKI STATED THIS ORDIANCE IS A DUPLICATE OF AN ORDINANCE PASSED IN JULY 2016. THE PROPERTY WAS SOLD TO A NEW COMPANY.

MOVED BY WESTFALL, SECONDED BY BOROWY, TO SUSPEND THE RULES AND PLACE ORDINANCE 2016-10-2 ON THIRD AND FINAL READING.
ROLL CALL: AYE; WESTFALL, WINGENFELD, WYATT, BOROWOY .
MOTION CARRIED.

MOVED BY WESTFALL, SECONDED BY WINGENFELD, TO PASS ORDINANCE 2016-10-2.
ROLL CALL: AYE; WESTFALL, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

ORDINANCE: 2016-10-3
AN ORDINANCE DETERMINING A ONE-TIME REBATE FOR REAL ESTATE TAXES TO RESIDENTIAL HOMEOWNERS WITHIN THE VILLAGE OF VALLEY VIEW DURING THE YEAR 2016, INCLUDING $200.00 FOR EACH RESIDENTIAL PROPERTY OWNER OR $400.00 FOR EACH RESIDENTIAL PROPERTY OWNER 65 OR OVER WAS READ BY TITLE ONLY AND INTRODUCED BY COUNCILMAN WESTFALL.

COUNCILMAN BOROWY STATED THIS IS NOT AN EASY JOB TO DO WHEN SPENDING THE VILLAGE MONEY. HE READ THE FOLLOWING STATEMENT:

"I'M SADDENED AND DISAPPOINTED HOW THESE REBATE ORDINANCES INVOLVING MONEY HAS DIVIDED OUR COMMUNITY AND HAS PITTED OUR RESIDENTS AGAINST EACH OTHER. I'M ALSO DISAPPOINTED THAT OUR SENIORS ARE BEING USED AND MISLED ABOUT THE WORKINGS OF THIS COUNCIL. EXPLOITING THEIR AGE AND INCOME TO UNDERMINE THE REPUTATION OF OUR COUNCIL MEMBERS IS UNCALLED FOR.
WE HAVE MANY EXPENSIVE INFRASTRUTURE PROJECTS GOING ON WITHIN THE VILLAGE. DURING LAST WEEKS RAIN STORMS, BOTH HERE AND DOWN SOUTH OF US, HAD ME CONCERNED ABOUT POTENTIAL WATER PROBLEMS THAT WOULD LEAD OUR VILLAGE INTO MORE EXPENSE. I'D LIKE TO CONSERVE OUR FUNDS AND USE THEM FOR UNFORSEEN EXPENSES SIMILAR TO THE RECENT SCHREIBER ROAD COLLAPSE.
I DO UNDERSTAND AND APPRECIATE GETTING A REBATE CHECK NO MATTER WHAT THE DOLLAR AMOUNT. I ALSO APPRECIATE THE MANY SERVICES PROVIDED TO OUR RESIDENTS. THERE AREN'T TOO MANY CITIES AND VILLAGES AROUND ANYMORE THAT CAN AFFORD OUR GRASS CUTTING SERVICE, OUR TREE SERVICE, BEING ABLE TO AFFORD OUR RESIDENTS WITH A DUMP TRUCK OR DUMPSTER AND PAYING FOR THE DUMPING COSTS, A BEAUTIFUL LANDSCAPED PARK, A $60 PER YEAR RECREATION PASS AND SNOWPLOWING.
I WANT TO KEEP OUR VILLAGE SERVICES FOR OUR RESIDENTS AND AT THE SAME TIME GIVE A FAIR REBATE WHEN IT'S FISCIALLY PRUDENT. LET'S PROCEED CAUTIOUSLY".

COUNCILMAN WESTFALL MADE A MOTION TO SUSPEND THE RULES AND PLACE ORDINANCE 2016-10-3 ON THIRD AND FINAL READING.

FOR LACK OF A SECOND THIS ORDINANCE ON FIRST READING.

RESOLUTION: 2016-10-4
A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL PROJECTS VVV BRIDGE FUND AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY AND INTRODUCED BY ALL MEMBERS OF COUNCIL.

MOVED BY WESTFALL, SECONDED BY WINGENFELD, TO SUSPEND THE RULES AND PLACE RESOLUTION 2016-10-4 ON THIRD AND FINAL READING.
ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

MOVED BY WYATT, SECONDED BY WESTFALL, TO PASS RESOLUTION 2016-10-4.
ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

COMMITTEE REPORTS:

CLERK-TREASURER TOMASKO GAVE THE MAYOR AND ALL MEMBERS OF COUNCIL A STATEMENT OF CASH POSITION REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2016.

NEW BUSINESS FROM MAYOR:

THE MAYOR HAD A DISCUSSION WITH THE POLICE CHIEF REGARDING THE LEASHING OF DOGS. HE READ THE FOLLOWING STATEMENT:

"IT IS THE POSITION OF THE POLICE DEPARTMENT AND ADMINISTRATION THAT ALL DOGS MUST BE UNDER THE DIRECT CONTROL OF THEIR HANDLER, WHEN OUTSIDE THE BOUNDARIES OF THEIR RESIDENCE, BY THE USE OF A PHYSICAL, TANGIBLE LEASH. THERE ARE NO GUARANTEES WHENEVER A DOG IS TOO MUCH FOR ITS HANDLER TO CONTROL. HOWEVER, THE SAFEST AND MOST CONTROLLABLE DEVICE IS A PHYSICAL, TANGIBLE LEASH.
OTHERS CAN SEE THE LEASH, SEE HOW LONG THE LEASH IS, AND WALK SAFELY BY THE DOG WITH LITTLE CONCERN, AS LONG AS THE HANDLER MAINTAINS CONTROL. TOO MANY 'WHAT IF'S" EXIST WITH ANY OTHER TYPE OF LEASH OTHER THAN A PHYSICAL, TANGIBLE LEASH OF APPROPRIATE STRENGTH FOR THE PARTICULAR DOG. THE ANIMAL WARDEN HAS NOT HEARD OF AN ELECTRONIC LEASH AND IS IN AGREEMENT WITH OUR ASSESSMENT FOR THE SAFETY OF ALL CONCERNED. THE FOLLOWING MUNICIPALITIES DO NOT HAVE AN ORDINANCE FOR AN ELECTRONIC LEASH: BROOKLYN HEIGHTS, INDEPENDENCE,BRECKSVILLE, AND CUYAHOGA HEIGHTS".

MAYOR PIASECKI BROUGHT UP ADVERTISING FOR A NEW VILLAGE BUS.

COUNCILMAN WINGENFELD ASKED HAVE WE DECIDED ON AN ONBOARD BATHROOM?

MAYOR PIASECKI SAID IT IS AN OPTION. WE ARE ASKING THE SUPPLIER TO GIVE US SOME DETAILS ON OTHER SYSTEMS OUT THERE.

MOVED BY WINGENFELD, SECONDED BY WYATT, TO AUTHORIZE CLERK TOMASKO TO ADVERTISE FOR BIDS FOR A NEW BUS FOR USE IN THE VILLAGE OF VALLEY VIEW AND THE TRADE IN OF OUR 2000 47 PASSENGER BLUE BIRD BUS.
ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, WINGENFELD.
MOTION CARRIED.

FINANCE (WINGENFELD) –

MOVED BY WINGENFELD, SECONDED BY BOROWY, TO AUTHORIZE RECREATION DIRECTOR VON VILLE AN AMOUNT OF $15,000.00 FOR THE BOYS AND GIRLS BASKETBALL SEASON.
ROLL CALL: AYE; BOROWY, WESTFALL, WINGENFELD, WYATT.
MOTION CARRIED.

MOVED BY WINGENFELD, SECONDED BY WYATT, TO AUTHORIZE THE VILLAGE TO HIRE FABRIZI TRUCKING AND PAVING FOR THE REMOVAL AND REPLACEMENT OF CONCRETE PAVEMENT ON MORNINGSIDE DRIVE AT A COST OF $18,000.00.
ROLL CALL: AYE; WESTFALL, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

MAYOR PIASECKI STATED THE PROJECT WILL SHUT MORNINGSIDE DRIVE DOWN FOR 4 DAYS.

ENGINEER SCIANO SAID THE PROJECT WOULD TAKE PLACE SOME TIME BEFORE NOVEMBER 15, 2016. THERE WILL BE SIGNS POSTED AT BOTH ENDS AND THERE WILL BE A POSSIBLE SWIFTREACH TO NOTIFY RESIDENTS.

MOVED BY WINGENFELD, SECONDED BY WESTFALL, TO AUTHORIZE THE VILLAGE TO HIRE RMS COMPANY FOR THE PHASE 1 GUARDRAIL REPLACEMENT ON ROUTE 21 AND THE CLOVERLEAF RAMPS AT A COST OF $21,560.00.
ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

MOVED BY WINGENFELD, SECONDED BY BOROWY, TO AUTHORIZE THE VILLAGE TO HIRE J&J ENTERPRISES FOR THE MURRAY ROAD STORM SEWER/DRAINAGE ISSUE AT 8608 MURRAY ROAD AT A COST OF $6,934.00.
ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, WINGENFELD.
MOTION CARRIED.

MOVED BY WINGENFELD, SECONDED BY WESTFALL, TO AUTHORIZE A CHANGE ORDER FOR THE STRATHMORE PAVEMENT RECONSTRUCTION PHASE 2 PROJECT FOR FABRIZI TRUCKING AND PAVING AT A COST OF $9,299.56.
ROLL CALL: AYE; BOROWY, WESTFALL, WINGENFELD, WYATT.
MOTION CARRIED.

SAFETY (PERK) – NO REPORT

ROAD, TRAFFIC, UTILITY & ENGINEER (WESTFALL) – NO REPORT

BEAUTIFICATION (WINGENFELD) – NO REPORT

RECREATION (BOROWY) - NO REPORT

BUILDING & MAINTENANCE (WYATT) – NO REPORT

HUMAN SERVICES/OFFICE SERVICES (WYATT) - NO REPORT

SCHOOL (LIASON) (BOROWY) – NO REPORT

POLICE CHIEF MARCH HAD A WRITTEN REPORT.

FIRE CHIEF KOSCIELSKI HAD HIS REPORT.

BUILDING COMMISSIONER ELLIS HAD HIS REPORT.

STREET COMMISSIONER SOLDAT HAD NO REPORT.

RECREATION DIRECTOR VON VILLE HAD HIS REPORT –

HE THANKED THE SERVICE AND FIRE DEPARTMENTS FOR THEIR HELP IN VALLEY VIEW WOODS WITH THE CUYAHOGA HEIGHTS GEORGE GROSS CROSS COUNTRY INVITATIONAL.

ENGINEER SCIANO HAD HIS REPORT –

ENGINEER SCIANO STATED THAT HE AND THE MAYOR HAVE HAD CONVERSATIONS WITH THE CLEVELAND WATER DEPARTMENT REGARDING THE SUBURBAN WATERMAIN RENEWAL PROGRAM. THE WATER MAIN ON SCHREIBER ROAD HAS HAD 6 BREAKS IN 7 MONTHS. IF VALLEY VIEW ACCEPTS

THE AGREEMENT WE CAN APPLY FOR FUNDS THAT WILL COVER THE REPAIRS OF THE WATERLINE, TIES AND HYDRANTS AND PAVEMENT OVER THOSE LINES. WE WOULD HAVE 4 YEARS TO COMPLETE THE WHOLE PROJECT. IT IS A COMPETITIVE PROGRAM.

MOVED BY WINGENFELD, SECONDED BY WESTFALL, TO AUTHORIZE MAYOR PIASECKI TO PREPARE A GRANT APPLICATION FOR THE SUBURBAN WATER MAIN RENEWAL PROGRAM-FALL 2016; AND ALLOW THE MAYOR TO EXECUTE PAPERWORK ON BEHALF OF THE VILLAGE OF VALLEY VIEW FOR REPLACEMENT OF THE SCHREIBER ROAD WATER MAIN.
ROLL CALL: AYE; WESTFALL, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

NEW BUSINESS FROM COUNCIL:

COUNCILMAN WINGENFELD SAID THE VALLEY VIEW HISTORICAL SOCIETY HAD ITS PRESENTATION AT THE RED BARN IN SEPTEMBER AND THANKED FIRE CHIEF KOSCIELSKI AND HIS DEPARTMENT FOR ASSISTING THE SENIORS AT THE PROGRAM.

MAYOR PIASECKI OPENED THE MEETING TO THE PUBLIC.

MRS.CAROL PATTERSON - 9573 BEYERLE HILL:
ASKED ABOUT THE NEW BUSINESS GOING UP ON ROCKSIDE ROAD. (RE ORDINANCE 2016-10-2).

MAYOR PIASECKI SAID IF YOU SEE THE HARMONY REALTY SIGN ON ROCKSIDE ROAD EAST OF CANAL THAT IS WHERE IT IS. KAPLAN TRUCKING OFFICES ARE GOING IN THERE. IT IS NOT A TRUCKING FACILITY.

MRS.CATHY EVANS - 13540 LAUREL LANE:
TALKED ABOUT THE REBATES. SHE SAID THE SENIORS GET A LOT OF DISCOUNTS AND PROGRAMS ALREADY. SHE WANTED TO KNOW WHAT THE DEFINITION OF A SENIOR WAS. ONE PLACE IT SAYS 55, ONE 60 AND ONE SAYS 65. THERE ARE NO STANDARDS.

MAYOR PIASECKI SAID THE ORDINANCES ARE CLARIFIED BY AGE. THERE ARE SENIORS ON A FIXED INCOME BUT WE ALSO HAVE YOUNG COUPLES WHO ARE STRUGGLING. THE VILLAGE DOES NOT WANT PEOPLE SHOVELING SNOW AT AGE 60. THE PROGRAMS ARE DEFINED AS WE GO.

MR. ROCCO CASADONTE - 12235 ALDERSYDE DRIVE:
STATED THE HOMESTEAD ACT IS FOR AGE 65 AT THE DATE OF THE TAX YEAR. HE ASKED WHY THERE ARE 3 ORDINANCES FOR THE SAME THING. HE SAID THAT WHEN THE ORGINAL ORDINANCE WAS PASSED IT WAS BECAUSE THE VILLAGE DID NOT NEED THE MONEY AND WANTED TO GIVE BACK TO THE TAXPAYERS. WE HAVE GOTTEN AWAY FROM THAT. IT SHOULD BE BASED ON COMMUNITY NEEDS. IT SEEMS TO BE MORE POLITICAL THAN ORGINALLY INTENDED.

MR. RANDY WESTFALL - 6875 NIGHTJAR COURT:
IN APRIL HE REQUESTED PUBLIC RECORDS FOR THE FUNDS FOR THE MAYOR'S OFFICE RENOVATIONS. HE WOULD LIKE THE RECORDS BY THE END OF THE YEAR.

MRS. MEGAN TORRES - 13000 NORTH PARTRIDGE:
SHE GOT A QUOTE FOR A TREE REMOVAL AND IS WONDERING WHEN THE VILLAGE WILL COME TAKE IT DOWN. MARY SNYDER SAID SHE WILL GET BACK

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TO MEGAN ABOUT HER TREES. SHE ALSO SAID SHE'D LIKE THERE TO BE LIGHTING OF THE STRATHMORE ENTRANCE SIGN ON SCHREIBER ROAD.

MOVED BY BOROWY, SECONDED BY WINGENFELD, TO ADJOURN.
ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

MEETING WAS ADJOURNED AT 8:15 PM.

DATED: _____,2016 _____
MAYOR

ATTEST:

_____
CLERK/TREASURER

THESE ARE THE UNAPPROVED MINUTES FROM THE OCTOBER 4, 2016 VILLAGE OF VALLEY VIEW COUNCIL MEETING