

RECORD OF PROCEEDINGS

Minutes of

VILLAGE OF VALLEY VIEW REGULAR COUNCIL

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3332 FORM NO. 10148

Held _____

OCTOBER 1,

20 19

CAUCUS STARTED AT 6:45 PM. MAYOR PIASECKI WENT OVER THE AGENDA FOR THE COUNCIL MEETING. IN REFERENCE TO ORDINANCE 2019-10-5 COUNCILMAN BOROWY ASKED IF THIS WAS THE FIRST TIME THAT AN APPRAISAL HAS GONE UP DUE TO THE HOMEOWNER GETTING THEIR OWN APPRAISAL? ENGINEER SCIANO REPLIED NO. THE ZMIJA PROPERTY WENT UP AS A RESULT OF A SECOND APPRAISAL. HE ENCOURAGED THOSE HOMEOWNERS WHO DON'T AGREE WITH THEIR APPRAISAL TO GO THRU THE APPEAL PROCESS AND GET THEIR OWN APPRAISAL. MAYOR PIASECKI INTRODUCED MR. KEVIN SMALLEY AS THE REGIONAL EXTERNAL AFFAIRS LIASON WITH FIRST ENERGY/THE ILLUMINATING COMPANY. MR. SMALLEY EXPLAINED DOWNED WIRES/STORM PROTOCOLS. MAYOR PIASECKI STATED THAT WE HAD POWER OUTAGES AT THE NORTH END SEVERAL WEEKS AGO AND THEY SEEM TO BE IN THE SAME AREA (BANK STREET) ALL THE TIME. MR. SMALLEY SAID HE WOULD LOOK INTO THE FREQUENCY OF OUTAGES IN THAT AREA. CAUCUS ENDED AT 6:55 PM.

PRESENT: COUNCILPERSONS WINGENFELD, WYATT, BOROWY WESTFALL, PERK, LAW DIRECTOR LAMBROS, ENGINEER SCIANO, POLICE CHIEF NIRO, FIRE CHIEF PAPESH, STREET COMMISSIONER SOLDAT, RECREATION DIRECTOR VON VILLE, BUILDING COMMISSIONER ELLIS, CLERK TREASURER TOMASKO.

MAYOR PIASECKI PRESIDED.

MEETING WAS CALLED TO ORDER AT 7:00 PM.

PLEDGE OF ALLEGIENCE.

MOVED BY WYATT, SECONDED BY WINGENFELD, TO ACCEPT THE MINUTES OF SEPTEMBER 10, 2019 AND SEPTEMBER 17, 2019 AS RECEIVED.

ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK.
MOTION CARRIED.

ORDINANCE: 2019-10-1

AN ORDINANCE TO PAY CERTAIN CLAIMS THEREIN MENTIONED DURING THE MONTH OF SEPTEMBER, 2019 WAS READ BY TITLE ONLY AND INTRODUCED BY COUNCILMAN BOROWY.

MOVED BY BOROWY, SECONDED BY WESTFALL, TO SUSPEND THE RULES AND PLACE ORDINANCE 2019-10-1 ON THIRD AND FINAL READING.

ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, PERK, WINGENFELD,
MOTION CARRIED.

MOVED BY WYATT, SECONDED BY PERK, TO PASS ORDINANCE 2019-10-1.

ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, PERK, WINGENFELD.
MOTION CARRIED.

ORDINANCE: 2019-10-2

AN ORDINANCE AMENDING SECTION 1426.03, 1426.04, 1426.05 AND 1426.07 OF THE VALLEY VIEW CODIFIED ORDINANCES WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

THIS ORDINANCE IS ON FIRST READING.

ORDINANCE: 2019-10-3

AN ORDINANCE ACCEPTING A PLAT AND DEDICATION FOR THE WIDENING OF THE SOUTH SIDE OF SCHREIBER ROAD IN THE VILLAGE OF VALLEY VIEW, OHIO WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

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ENGINEER SCIANO NOTED THAT THE HOMEOWNER IS NOT REQUESTING ANY MONEY FOR THE DONATION OF LAND FOR THIS EASEMENT.

MOVED BY WESTFALL, SECONDED BY PERK, TO SUSPEND THE RULES AND PLACE ORDINANCE 2019-10-3 ON THIRD AND FINAL READING.

ROLL CALL: AYE; BOROWY, WESTFALL, PERK, WINGENFELD, WYATT.
MOTION CARRIED.

MOVED BY BOROWY, SECONDED BY PERK, TO PASS ORDINANCE 2019-10-3.

ROLL CALL: AYE; BOROWY, WESTFALL, PERK, WINGENFELD, WYATT.
MOTION CARRIED.

RESOLUTION: 2019-10-4

A RESOLUTION DESIGNATING PAUL DEY AS THE PROJECT MANAGER AND PERSON RESPONSIBLE FOR IMPLEMENTING THE FEMA HAZARD MITIGATION GRANT PROGRAM ON BEHALF OF THE VILLAGE OF VALLEY VIEW, OHIO WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

MOVED BY WYATT, SECONDED BY BOROWY, TO SUSPEND THE RULES AND PLACE RESOLUTION 2019-10-4 ON THIRD AND FINAL READING.

ROLL CALL: AYE: WESTFALL, PERK, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

MOVED BY BOROWY, SECONDED BY WINGENFELD, TO PASS RESOLUTION 2019-10-4.

ROLL CALL: AYE; WESTFALL, PERK, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

ORDINANCE: 2019-10-5

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AN OFFER AND ENTER INTO AN AGREEMENT TO PURCHASE A HOME AT 9700 FRANCES DRIVE IN AN AMOUNT NOT TO EXCEED \$172,000.00 AS PART OF THE FLOOD MITIGATION ASSISTANCE (FMA) PROGRAM-FISCAL YEAR IN THE VILLAGE OF VALLEY VIEW, OHIO WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

COUNCILMAN BOROWY POINTED OUT THAT THE HOMEOWNER PAID FOR A SECOND APPRAISAL FOR THIS HOME AND ENDED UP WITH A HIGHER APPRAISAL.

MOVED BY PERK, SECONDED BY WESTFALL, TO SUSPEND THE RULES AND PLACE ORDINANCE 2019-10-5 ON THIRD AND FINAL READING.

ROLL CALL: AYE; PERK, WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

MOVED BY WYATT, SECONDED BY BOROWY, TO PASS ORDINANCE 2019-10-5.

ROLL CALL: AYE; PERK, WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

ORDINANCE: 2019-10-6

AN ORDINANCE AMENDING SECTION 1262.07 (b) OF THE VALLEY VIEW CODIFIED ORDINANCES ENTITLED "FENCES, HEDGES, TRELLISES, PERMIT REQUIRED; RESTRICTIONS WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

THIS ORDINANCE IS ON FIRST READING.

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ORDINANCE: 2019-10-7

AN ORDINANCE ACCEPTING A PROPOSAL FOR THE CANAL ROAD, CLOVERLEAF PARKWAY, STONE ROAD, AND FRANCES DRIVE PARTIAL DEPTH FLEXIBLE PAVEMENT REPAIRS PROJECT IN THE VILLAGE OF VALLEY VIEW, OHIO WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

MOVED BY BOROWY, SECONDED BY WESTFALL, TO SUSPEND THE RULES AND PLACE ORDINANCE 2019-10-7 ON THIRD AND FINAL READING.
ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK.
MOTION CARRIED.

MOVED BY WYATT, SECONDED BY PERK, TO PASS ORDINANCE 2019-10-7.
ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK.
MOTION CARRIED.

MAYOR:

MAYOR PIASECKI STATED THIS PAST THURSDAY, SEPTEMBER 26TH MARKED THE DAY OF AN UNUSUAL AND UNFORTUNATE VEHICULAR ACCIDENT. A CONCRETE TRUCK DRIVER WASN'T ABLE TO SLOW DOWN WHILE TRAVELING DOWN THE GRANGER ROAD HILL AND CRASHED INTO SEVERAL VEHICLES TRAVELING EASTBOUND WEST OF CANAL ROAD. OUR SAFETY FORCES RESPONDED IMMEDIATELY. FIRE CHIEF PAPESH AND POLICE CHIEF NIRO HAVE A BRIEF REPORT AND UPDATE ON SOME OF THE ACCIDENT DETAILS.

FIRE CHIEF PAPESH PUBLICALLY THANKED ALL MUTUAL AID DEPARTMENTS: INDEPENDENCE, GARFIELD HEIGHTS, BROOKLYN HEIGHTS, CUYAHOGA HEIGHTS, OHIO STATE PATROL, ODOT, HILLTOP TOWING, RICH'S TOWING, CUYAHOGA COUNTY EMS AND THE NEW DISPATCH DEPARTMENT. FIRE CHIEF PAPESH SAID THERE WAS SIGNIFICANT AMOUNT OF CLEAN UP WORK PERFORMED. FIRE CHIEF PAPESH STATED SIX PEOPLE WERE TRANSPORTED TO HOSPITALS AND ALL SIX HAVE BEEN DISCHARGED FROM HOSPITALS.

POLICE CHIEF NIRO STATED THE DISPATCH SYSTEM WORKED GREAT WITH A LOT OF INFORMATION FLOWING BACK AND FORTH. POLICE CHIEF NIRO SAID VALLEY VIEW IS THE LEAD INVESTIGATOR ON THE ACCIDENT AND THE INVESTIGATION IS NEARLY COMPLETE AT THIS TIME.

MAYOR PIASECKI STATED THIS EVENT IS ONE OF THOSE TIMES WHEN THE PROFESSIONALISM OF OUR SAFETY FORCES SHINE THROUGH. THE MAYOR EXPRESSED A HUGE THANK YOU TO MEMBERS OF OUR POLICE AND FIRE DEPARTMENTS. THE MAYOR ADDED THAT LETTERS WILL BE GOING OUT TO OUR MUTUAL AID COMMUNITIES AND DISPATCH FOR THEIR IMMEDIATE RESPONSE.

MAYOR PIASECKI SAID THE CONCERT IN THE PARK WAS A HUGE SUCCESS. THE COMBINATION OF GREAT MUSIC, CIDER, DONUTS AND A DOWN HOME HAYRIDE PROVIDED A WONDERFUL AND FUN EVENING. A BIG THANK YOU TO ALL EMPLOYEES WHO REALLY PITCHED IN TO CREATE THE EVENT WHICH WAS A PARTNERSHIP EVENT ORGANIZED AND SET UP BY OUR RECREATION DEPARTMENT, SERVICE, GROUNDS AND THE CENTENNIAL COMMITTEE. THE COMMITTEE MEMBERS ARE CINDY TERMINI, JONI PIASECKI, KEN PYTLAK AND JEFF WYATT. COUNCILMEMBERS WINGENFELD, WYATT AND WESTFALL IN ATTENDANCE ALL HAD POSITIVE COMMENTS OF SUPPORT.

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MAYOR PIASECKI STATED THAT THE HISTORICAL SOCIETY IS SPONSORING A SPECIAL EVENT AT THE CAMPBELL HOUSE ON OCTOBER 19TH. OFFICIAL NOTICE AND INFORMATION WILL BE IN THE UPCOMING NEWSLETTER.

MAYOR PIASECKI SAID OUR PLANNING BOARD REVIEWED AND APPROVED THE PRELIMINARY SITE PLANS FOR NEW CONSTRUCTION FOR VALLEY FORD LOCATED AT WEST CANAL ROAD AND FOR FERGUSON HVAC DIVISION AT LOMBARDO PARKWAY AND GRANGER ROAD. THE MAYOR NOTED THESE BUSINESSES ARE CANDIDATES FOR TAX INCREMENT FINANCING.

COMMITTEE REPORTS

CLERK-TREASURER TOMASKO GAVE THE MAYOR AND ALL MEMBERS OF COUNCIL A PRELIMINARY STATEMENT OF CASH REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2019.

FINANCE (BOROWY)

MOVED BY BOROWY, SECONDED BY WESTFALL, TO AUTHORIZE CLERK TOMASKO TO CHANGE FROM OUR CURRENT EXCHANGE SERVER E-MAIL SYSTEM TO A 365 E-MAIL CLOUD BASED SYSTEM THRU TTX AT A COST OF \$5,940.00.

ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, PERK, WINGENFELD.
MOTION CARRIED.

MOVED BY BOROWY, SECONDED BY WESTFALL, TO AUTHORIZE A CHANGE OF SCOPE FOR CARRON ASPHALT PAVING FOR THE CANAL ROAD AND ALEXANDER RAMPS REPAIR AND RESURFACING IMPROVEMENTS PROJECT.

ROLL CALL: AYE; BOROWY, WESTFALL, PERK, WINGENFELD, WYATT.
MOTION CARRIED.

MOVED BY BOROWY, SECONDED BY WINGENFELD, TO AUTHORIZE A CHANGE ORDER RESULTING IN A CREDIT AMOUNT FOR L.C. FLUHARTY FOR THE FMA 2017 FEMA PROGRAM FOR THE HOMES AT 9101 MURRAY, 9816 STONE AND 5901 CANAL ROADS.

ROLL CALL: AYE; WESTFALL, PERK, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

MOVED BY BOROWY, SECONDED BY WESTFALL, TO AUTHORIZE MAYOR PIASECKI TO PURCHASE STONE FOR THE PARKING AREA AT THE CAMPBELL HOUSE AT A COST NOT TO EXCEED \$5,800.00.

ROLL CALL: AYE; PERK, WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

SAFETY (PERK) – NO REPORT

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

BEAUTIFICATION (WINGENFELD) – NO REPORT

RECREATION (BOROWY) – NO REPORT.

BUILDING & MAINTENANCE (WESTFALL) – NO REPORT

HUMAN SERVICES/OFFICE SERVICES (WYATT) – NO REPORT.

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SCHOOL (LIASON) (BOROWY) –

THE B.E.S.T. COMMITTEE WILL MAKE A PRESENTATION TO COUNCIL BEFORE THE NOVEMBER 5, 2019 COUNCIL MEETING.

POLICE CHIEF NIRO HAD HIS REPORT.

FIRE CHIEF PAPESH HAD HIS REPORT.

BUILDING INSPECTOR ELLIS HAD HIS REPORT.

STREET COMMISSIONER SOLDAT HAD NO REPORT.

RECREATION DIRECTOR VON VILLE HAD HIS REPORT.

ENGINEER SCIANO HAD HIS REPORT.

MOVED BY WINGENFELD, SECONDED BY PERK, TO AUTHORIZE MAYOR PIASECKI TO APPLY FOR AND EXECUTE DOCUMENTS FOR THE 2019 CUYAHOGA COUNTY MUNICIPAL GRANT PROGRAM – (FOR THE DEMOLITION OF THE EXCHANGE STREET BRIDGE).

ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK.
MOTION CARRIED.

ENGINEER SCIANO REPORTED NEORS D WILL BE MEETING AT 5:30 P.M. ON TUESDAY, NOVEMBER 5, 2019 AT THE VALLEY VIEW TOWN HALL COMMUNITY ROOM. THEY WILL BE ADDRESSING CONCERNS THAT WERE CALLED IN REGARDING THE STATHMORE SUBDIVISION EROSION ON THE STREAM NETWORK BEHIND LAUREL AND ALL OF THE PARTRIDGES. NEORS D WILL BE CONTACTING ALL RESIDENTS ON THE STREAM. HE ENCOURAGED ALL COUNCIL AND ANYONE WHO WAS INTERESTED TO ATTEND. NEORS D WILL BE ABLE TO ANSWER QUESTIONS AND DISCUSS FUTURE PROJECTS.

COUNCILMAN WYATT ASKED DOES THIS INCLUDE THE AREA BETWEEN LONGSPUR AND SOUTH PARTRIDGE?

ENGINEER SCIANO STATED IT IS THE OTHER STREAM. THE LAUREL STREAM IS THE ONLY ONE BIG ENOUGH TO QUALIFY UNDER NEORS D BY DRAINAGE AREA.

ENGINEER SCIANO STATED THE NEW VALLEY FORD PROPERTY SITS IN BOTH INDEPENDENCE AND VALLEY VIEW. OUR PLANNING BOARD ALREADY GAVE ITS APPROVAL. TONIGHT APPROVAL WAS RECEIVED FROM THE CITY OF INDEPENDENCE. THE BUILDING IS IN VALLEY VIEW AND PARKING AREA AND STORM WATER MANAGEMENT IS IN INDEPENDENCE.

NEW BUSINESS FROM COUNCIL

COUNCILMAN BOROWY EXPRESSED CONCERN ABOUT SCHOOL BUSES RUNNING THROUGH THE INTERSECTION OF GRANGER ROAD AND CANAL ROAD. THERE HAVE BEEN NUMEROUS ACCIDENTS IN THAT AREA BECAUSE OF GRANGER HILL. HE ASKED CAN WE PETITION ANYONE TO STOP TRUCKS FROM COMING DOWN THAT HILL?

MAYOR PIASECKI REPLIED THERE IS CURRENTLY A DISCUSSION BETWEEN VALLEY VIEW, ODOT AND ENGINEERING. HE CANNOT GIVE MR. BOROWY A SOLUTION RIGHT NOW.

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COUNCILMAN BOROWY INQUIRED IS THE ROCKSIDE ROAD EXTENSION THROUGH TO TRANSPORTATION BLVD AN OPTION?

MAYOR PIASECKI REPLIED YES THAT IS AN OPTION.

LAW DIRECTOR LAMBROS STATED ODOT IS AWARE OF THE LIABILITIES AND THEY ARE RESPONSIBLE FOR THAT ROAD. THEY WILL HAVE TO ADDRESS THIS ISSUE.

COUNCILMAN BOROWY STATED THAT HE WANTS VALLEY VIEW TO HAVE A SAY IN IT BECAUSE THE ROAD GOES THROUGH OUR TOWN AND AFFECTS OUR RESIDENTS.

COUNCILMAN PERK ASKED WHAT IS THE HOLD UP ON TRANSPORTATION BLVD GOING THROUGH TO ROCKSIDE?

MAYOR PIASECKI ANSWERED IT IS IN THE HANDS OF THE PROPERTY OWNERS AND DEVELOPER. WHEN WE HAVE SOMETHING SOLID HE WILL LET COUNCIL KNOW.

COUNCILMAN WINGENFELD NOTED ORDINANCE 2019-9-10 (HIRING OF VERN BLAZE TO PREPARE TIF'S) WAS NOT ON THE AGENDA.

MAYOR PIASECKI SAID HE PULLED IT FROM THE AGENDA. HE IS GOING TO GO ABOUT IT ANOTHER WAY.

COUNCILMAN WINGENFELD SAID HE ALSO UNDERSTANDS THAT THERE WILL BE A COMMITTEE FOR T.I.F'S? WHAT ARE THE REQUIREMENTS FOR THE COMMITTEE?

MAYOR PIASECKI SAID WE WOULD NEED ONE PERSON FROM THE SCHOOL AND TWO FROM THE VILLAGE, ONE FROM A NEIGHBORING COMMUNITY. THERE ARE MORE REQUIREMENTS BUT HE DOESN'T HAVE THE INFORMATION IN FRONT OF HIM.

COUNCILMAN BOROWY ASKED MAYOR PIASECKI DO YOU PLAN ON HIRING VERN BLAZE?

MAYOR PIASECKI ANSWERED YES.

COUNCILMAN BOROWY SPOKE TO THE AUDIENCE SAYING WE HAD AN OFFER FROM MAYOR TOGLIATTI TO ALLOW MR. JEREMY ROWAN FROM INDEPENDENCE TO DO OUR TIF'S AT NO COST TO OUR VILLAGE. HE WANTED TO MAKE EVERYONE AWARE OF THAT. WHY ARE WE HIRING SOMEONE TO DO IT WHEN WE CAN GET SOMEONE AT NO COST.

COUNCILMAN WYATT ASKED DOES INDEPENDENCE PAY HIM TO DO THEIR'S?

COUNCILMAN BOROWY RELIED MR. ROWAN IS THE ECONOMIC DEVELOPMENT DIRECTOR.

MAYOR PIASECKI SAID HE WROTE IN HIS FIRST E-MAIL THAT HE IS NOT GETTING INVOLVED IN INDEPENDENCE POLITICS. MR. BLAZE WAS OUSTED WHEN KURTZ GOT OUT OF OFFICE. THE MAYOR SAID HE GETS ALONG WITH MAYOR TOGLIATTI AND GREG KURTZ. SO TO TRY TO MEDDLE IN THEIR POLITICS DURING A MAYORAL YEAR - HE IS NOT GOING TO DO THAT.

COUNCILMAN BOROWY STATED THAT THE MAYOR SAYS HE DOESN'T WANT TO MEDDLE IN INDEPENDENCE POLITICS AND MR. BLAZE IS RUNNING FOR FINANCE DIRECTOR FOR INDEPENDENCE.

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MAYOR PIASECKI STATED THAT MR. BLAZE IS NOT AN EMPLOYEE OF INDEPENDENCE AT THIS TIME.

COUNCILMAN BOROWY SAID HE CANNOT UNDERSTAND WHY WE NEED TO SPEND MONEY WHEN WE CAN GET THE SERVICE FOR FREE? HE TALKED TO MR. ROWAN AT GREAT LENGTH. HE UNDERSTANDS THAT THE MAYOR HAS THE POWER AND AUTHORITY TO HIRE WHOEVER HE WANTS IF IT IS UNDER \$2,000.00. THAT IS THE MAYOR'S PRIVLEDGE. HE DOES NOT UNDERSTAND THE CONNECTION- WHY ARE WE PAYING SOMEONE TO DO THIS.

MAYOR PIASECKI SAID BECAUSE HE WANTS TO HIRE WHO HE WANTS TO HIRE. HE IS NOT GOING TO SPEND \$5,000.00. THAT IS THE DIRECTION WE ARE GOING TO GO.

COUNCILMAN BOROWY SAID HE HAD CALLS FROM RESIDENTS REGARDING TREES BEING CUT DOWN ON THE FORMER BOYAS PROPERTY BEHIND HOMES ON STONE ROAD.THE RESIDENTS WERE INQUIRING IS THERE A BUFFER ZONE THERE FROM BACK IN THE 1990'S?

MAYOR PIASECKI STATED HE ALSO RECEIVED CALLS FROM RESIDENTS. THE MAYOR SAID HE CALLED PETE & PETE AND THEY HAVE STOPPED CUTTING AND REMOVED THEIR EQUIPMENT

ENGINEER SCIANO STATED THAT THE BUFFER ZONE THAT IS IDENTIFIED IN THE PERMIT IS REFLECTIVE OF THE HATHAWAY ROAD PROJECT ONLY. IN 2015 THERE WAS A TREE REMOVED.VILLAGE ORDINANCES ONLY SPEAK TO CLEARING NOT HARVESTING. IN 2015 THERE WAS TREE HARVESTING. SO BIG DIFFERENCE. VILLAGE ORDINANCES SHOULD DISTINGUISH BETWEEN CLEARING AND HARVESTING. THERE WAS WORK BEING DONE ON THE GLICK PROPERTY OFF OF HATHAWAY. IN CONJUNCTION THE CREW WAS TAKING TREES OUT OF THE FORMER BOYAS PROPERTY. ENGINEER SCIANO SAID NUMBER ONE, ACTIVITIES WERE WITHIN PERMIT REQUIREMENTS ON BOTH THE GLICK PROPERTY AND THE FORMER BOYAS (PETE & PETE) PROPERTY. THERE WERE 4 TO 6 INCH TREES BEING TAKEN DOWN. BASED UPON CALLS FROM RESIDENTS PETE & PETE STOPPED CUTTING ON THE PROPERTY BEHIND STONE. THEY DID NOT STOP ON THE GLICK PROPERTY. THERE IS A BUFFER ON THE HATHAWAY ROAD PROPERTY. IN 2015 THERE WAS A DISCREPENCY BETWEEN A TREE TAKEN DOWN SO THEY ENDED UP PLANTING TREES ALONG HATHAWAY. THERE IS A ONE HUNDRED FOOT BUFFER ON HATHAWAY ROAD WHERE THERE IS NO CLEARING ALLOWED. ON STONE ROAD – THERE IS NO BUFFER- THERE WAS A HANDSHAKE AGREEMENT BETWEEN THE PROPERTY OWNER (BOYAS) AND RESIDENTS ON STONE ROAD. THIS RESULTED IN A RIDGE LINE THAT THE PREVIOUS LAND OWNER (BOYAS) STAYED AWAY FROM.

COUNCILMAN BOROWY INQUIRED CAN WE DRAW UP SOMETHING TO PROTECT THE RESIDENTS? LIKE WE PROTECTED THE RESIDENTS ON HATHAWAY?

ENGINEER SCIANO REPLIED THAT WE CURRENTLY HAVE AN ALTERATION OF TOPOGRAPHY PERMIT FOR THAT PROPERTY. THEY ARE WILLING TO STAY OUT OF THAT AREA. WE CAN PUT THESE RESTRICTIONS IN WRITING IN THE NEXT PERMIT. HE BELIEVES IT IS UP FOR RENEWAL THIS SPRING.

MAYOR PIASECKI STATED THAT HE TALKED TO THE PROPERTY OWNER AND HE IS FINE WITH THIS.

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MAYOR PIASECKI OPENED THE MEETING TO THE PUBLIC.

ROBERT SWIDARSKI OF STONE ROAD ASKED ABOUT THE ALTERATION OF TOPOGRAPHY PERMIT. HE HAS PAPERWORK FROM A PERMIT ISSUED IN 1994 WHERE BOYAS AGREED NOT TO TOUCH THE TREES. HE DOES NOT KNOW IF THAT CARRIES OVER TO THE NEW PROPERTY OWNER.

ENGINEER SCIANO STATED THAT PERMIT IS FROM 1994 AND EVERY TWO YEARS THERE IS A RENEWAL OF THE PERMIT AND THE RESTRICTIONS BECOME MORE STRICT. THE 1994 PERMIT IS FOR THE FIRST PHASE OF THE PROJECT WHICH TALKS ABOUT TREES BEING REMOVED EXCEPT FOR THE AREA ADJACENT TO STONE. THIS DATES BACK TO WHEN THE SOUTH SIDE OF ROCKSIDE WAS ORIGINALLY STARTED. HE SPOKE TO THE LANDOWNER AND HE WILL HONOR THE PRIOR AGREEMENT – THE HANDSHAKE AGREEMENT. IT WILL BE EASIER TO GET WRITTEN INTO THE NEXT PERMIT. WE MUST CLARIFY THE DIFFERENCE BETWEEN HARVESTING AND CLEARING. HARVESTING IS NOT A RESTRICTED USE IN THE VILLAGE AND WE CANNOT PREVENT SOMEONE FROM DOING THAT.

FRANK SORACE OF STONE ROAD STATED WHEN BOYAS STARTED THE PROPERTY HE WANTED TO CUT THE LAND DOWN TO THE CURRENT STONE ROAD LEVEL. MR. SORACE SAID IF ALL THE TREES ARE CLEARED IT WILL CREATE FLOODING -A WASHOUT. THEY ARE CUTTING ON PROPERTY THAT THEY NEVER EVEN SURVEYED.

LAW DIRECTOR LAMBROS STATED THEY MUST COME IN FOR RENEWAL EVERY TWO YEARS. CURRENT PERMIT RENEWAL IS UP NEXT SPRING. WE WILL PLACE THIS RESTRICTION IN THE NEXT PERMIT.

ROBERT SWIDARSKI THANKED MAYOR PIASECKI FOR ACTING SO QUICKLY ON STONE ROAD RESIDENT CONCERNS.

MAYOR PIASECKI STATED THAT HE DID TALK TO PETE RISTAGNO AND HE DID PULL OUT OF THE AREA. HE WILL COME AND HAVE DISCUSSIONS WITH THE PLANNING BOARD AND HE IS WILLING TO WORK WITH US. HE IS DOING THE RIGHT THING.

MR. SWIDARSKI SAID NEORS D IS COMING BEFORE THE NEXT COUNCIL MEETING. THEY WILL BE AFFECTED BY THIS. CAN WE ADDRESS THIS WITH THEM?

ENGINEER SCIANO SAID NEORS D HAS A PIECE WHERE THEY ARE ASSESSING A CHARGE FOR IMPERVIOUS AREAS. THE PURPOSE OF THAT IS TO WORK ON REGIONAL ISSUES THAT EXPAND PROPERTY BOUNDARIES – LARGE DRAINAGE AREAS. THAT AREA DOES NOT MEET THE REQUIRMENTS. IT IS THE SIZE OF THE DRAINAGE ACREAGE WHICH FILTERS THROUGH THE STREAM WHICH DETERMINES NEORS D PARTICIPATION. HE WILL CHECK TO MAKE SURE THERE ARE NO BREACHES TO THE SOUTH OF THE CURRENT ALTERATION OF TOPOGRAPHY PERMITS. WHAT IS HAPPENING ON STONE IS THAT THE WATER COMING OFF THE SLOPE IS ERODING THE SANDY SOIL. HE WILL FOLLOW UP.

MR. SWIDARSKI ASKED COUNCILMAN BOROWY ABOUT THE FEDERAL PROGRAM – IT SPECIFIES STATE APPRAISAL'S FOR PROPERTY. WAS THE ORIGINAL APPRAISAL LOWER THAN THE OFFER?

COUNCILMAN BOROWY STATED YES IT WAS \$125,000.00. IF THE HOMEOWNER DOES NOT AGREE WITH THE STATE APPRAISAL THEY CAN GET ANOTHER APPRAISAL AT THEIR COST.

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MR. SWIDARSKI ASKED WHY DIDN'T THE VILLAGE GO FOR A THIRD OPINION SINCE ONE WAS LOW AND ONE WAS HIGH?

ENGINEER SCIANO REPLIED THAT THE FEDERAL PROGRAM REQUIRES THAT THE VILLAGE HIRE A STATE APPRAISER TO DO THE APPRAISALS ON THE PROPERTY. IF THE HOMEOWNER IS NOT HAPPY THEY CAN HIRE, AT THEIR OWN COST, ANOTHER STATE APPRAISER. THOSE TWO STATE APPRAISERS, THE ONE THE VILLAGE PAID FOR AND THE ONE THE HOMEOWNER PAID FOR, SUBMIT THEIR APPRAISALS. THEY GO TO THE STATE APPRAISER AND HE MAKES THE DETERMINATION. NOT MANY APPRAISERS HAVE THAT QUALIFICATION.

LIZ TREIBER OF LONGSPUR COURT ASKED ABOUT A LONG TERM PLAN FOR EROSION AND FOR FUNDING THE EROSION FUND. SHE ASKED WHEN MONEY WAS GOING TO BE PUT INTO THE EROSION FUND?

CLERK TOMASKO REPLIED THAT WAS APPROVED FOR THE 2020 BUDGET WHICH TAKES EFFECT JANUARY 1, 2020.

LIZ TREIBER STATED SHE IS CONCERNED ABOUT EROSION NOT JUST IN HER BACK YARD. EVERY TREE THAT GETS CUT DOWN AFFECTS EROSION.

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

MEETING WAS ADJOURNED AT 7:47 P.M.

DATED: _____, 2019 _____
MAYOR

ATTEST:

CLERK/TREASURER

THESE ARE THE UNAPPROVED MINUTES FROM THE OCTOBER 1, 2019 VILLAGE OF VALLEY VIEW COUNCIL MEETING.



Telephone: (216) 642-8800
FAX: (216) 642-8836
Quarry: (216) 524-3620
FAX: (216) 524-1086

"Nothing We Can't Handle"

10055 SWEET VALLEY DRIVE • VALLEY VIEW, OHIO 44125

July 14, 1994

Village of Valley View
6848 Hathaway Road
Valley View, Ohio 44125

Attend: Mayor Westfall and Planning Commission

Re: Request for Alteration of Topography
Permit for 40 Acre Parcel (Zoned Industrial) on the
south side of Rockside Road

Gentlemen:

After meeting with the Village Council on July 5, 1994, it was decided to revise our Alteration of Topography plan for the subject 40 acre site. The enclosed plan indicates the areas of excavation and embankment with all of the work being confined to the subject parcel. Any extra excavation would be trucked from the site.

Our present permit for the adjacent 80 acre site will remain as previously issued, as we are no longer asking for any change in the map (Exhibit "A") that accompanies that permit.

The other terms and conditions of this requested permit will remain as previously submitted and discussed at several meetings.

Trusting that this latest revision satisfies your concerns, we will be in attendance at the Planning Commission meeting of July 19th.

Respectfully submitted,

BOYAS EXCAVATING, INC.


Pete Boyas, President

cc: Engineer Donald Bohning

ALTERATION OF TOPOGRAPHY PERMIT - BOYAS EXCAVATING
40 ACRE SITE ON ROCKSIDE ROAD

PER COUNCIL'S MEETING WITH MR. PETE BOYAS AND MR. MIKE BOYAS ON TUESDAY AUGUST 2, 1994 THE FOLLOWING CONDITIONS ARE TO BE MADE PART OF THEIR PERMIT FOR THE 40 ACRE INDUSTRIAL SITE ON ROCKSIDE ROAD.

- 1.) THAT ALL PHASES OF THE PROJECT, INCLUDING CLEARING, CUT AND FILL OPERATIONS, EROSION CONTROL, FINAL GRADING AND SEEDING BE CAREFULLY CONTROLLED BY THE APPLICANT AND BE SUBJECT TO ANY APPLICABLE FEDERAL, STATE OR COUNTY REGULATIONS, SUCH AS A STATE STORMWATER PERMIT.
- 2.) THAT ALL WORK AT THE SITE SHALL BE PERFORMED DURING NORMAL WORKING HOURS, AND THAT SAID WORK SHALL NOT COMMENCE EARLIER THAN 7:00 A.M. NOR CONTINUE BEYOND 7:00 P.M., WITH NO WORK TO BE PERFORMED ON SUNDAYS OR LEGAL HOLIDAYS, AND THAT SATURDAY HOURS BE LIMITED TO 9:00 A.M. TO 4:00 P.M..
- 3.) THAT THE FIRST PHASE OF THE PROJECT SHALL BE THE REMOVAL OF THE LARGE TREES (TIMBER) FROM THE ENTIRE SITE EXCEPT THE AREA ADJACENT TO THE HOUSES ON STONE ROAD, THAT IS SHOWN IN WHITE (NO SHADING) ON EXHIBIT "A". THIS AREA WILL REMAIN UNDISTURBED. LARGER UNDISTURBED STUMPS MAY REMAIN IN THE EMBANKMENT AREA, AS PER ODOT SPECIFICATIONS, BUT TREE LIMBS AND BRUSH SHALL NOT BE PLACED IN THE FILL.
- 4.) THAT THE FILL MATERIAL SHALL CONSIST OF EARTH, SAND, STONE OR OTHER HARD FILL, AND SHALL CONTAIN NO GARBAGE, OR CONSTRUCTION AND DEMOLITION MATERIAL.
- 5.) THAT THE APPLICANT SHALL COMPLY WITH THE STAT OF OHIO STORMWATER DISCHARGE REQUIREMENTS. THE EROSION CONTROL PLAN THAT IS SUBMITTED TO THE STATE SHALL ALSO BE PLACED ON FILE WITH THE VILLAGE ENGINEER. SILT FENCES AND SILT-TION BASINS SHALL BE USED TO CONTAIN ANY ERODED MATERIAL.
- 6.) THAT EACH YEAR DURING THE LATE SUMMER OR EARLY FALL, ANY AREA THAT IS AT FINAL GRADE AND DOES NOT ALREADY HAVE HAVE VEGETATION RE-ESTABLISHED, SHALL BE FINE GRADED, FERTILIZED AND SEEDED PER OHIO DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
- 7.) THAT THE APPLICANT SHALL COMPLY WITH ALL APPLICABLE ORDINANCES AND STATUES AND THAT ANY DUST CAUSED BY THE OPERATION SHALL BE CONTROLLED BY THE APPLICANT.
- 8.) ALL ACCESS TO THE SITE SHALL BE FROM ROCKSIDE ROAD AND THE PAVEMENT SHALL BE KEPT CLEAN AND THE CATCH BASINS AND STORM SEWERS SHALL BE CLEANED BY THE APPLICANT WHEN SO DIRECTED BY THE VILLAGE ENGINEER.

- 9.) THAT THE APPLICANT SHALL POST WITH THE VILLAGE CLERK A PERFORMANCE BOND IN THE AMOUNT OF \$20,000.00. THE BOND SHALL RUN IN FAVOR OF THE VILLAGE OF VALLEY VIEW, AND BE CONDITIONED UPON THE PERFORMANCE OF THE TERMS, CONDITIONS AND LIMITATIONS CONTAINED IN THE PERMIT.
- 10.) THAT THE PERMIT BE ISSUED BY THE VILLAGE ENGINEER UPON PAYMENT BY THE APPLICANT TO THE VILLAGE CLERK OF A FOUR HUNDRED DOLLAR (\$400.00) PERMIT FEE.
- 11.) THAT THE PERMIT BE ISSUED FOR A TIME PERIOD OF THREE YEARS, WHICH PERIOD SHALL COMMENCE ON THE DAY THAT THE PERMIT IS ISSUED.
- 12.) THAT THE VILLAGE ENGINEER SHALL MAKE PERIODIC INSPECTIONS OF THE SITE, AND THAT THE APPLICANT SHALL REIMBURSE THE VILLAGE FOR THE COST OF SAID INSPECTIONS.
- 13.) THAT BOYAS EXCAVATING, INC. SHALL ACCEPT THE PERMIT AS ISSUED AND AGREE TO COMPLY WITH EACH AND ALL OF THE CONDITIONS THEREOF AND FURTHER AGREE TO INDEMNIFY, DEFEND AND SAVE HARMLESS THE VILLAGE OF VALLEY VIEW FROM ALL CLAIMS, SUITS AND ACTIONS OF EVERY NAME AND DESCRIPTION BROUGHT AGAINST THE VILLAGE, ITS COUNCIL OR ANY OFFICER, AGENT OR EMPLOYEE OF THE VILLAGE ON ACCOUNT OF THE PERMIT.