

CITY OF BROADVIEW HEIGHTS REGULAR COUNCIL MEETING MINUTES

CITY OF BROADVIEW HEIGHTS

April 5, 2021

The Council President Pro-Tem Stelmaschuk called the **REGULAR COUNCIL** meeting to order at 7:44 p.m.

Mr. Price led the Pledge of Allegiance.

MEMBERS PRESENT: Mr. Thomas Pavlica (Ward 1 Councilor)
Mr. Brian Wolf (Ward 2 Councilor)
Mr. George Stelmaschuk (Ward 3 Councilor, President Pro-Tem)
Mr. Glenn Goodwin (Councilor At-Large)
Mr. Joe Price (Councilor At-Large)
Ms. Jennifer Mahnic (Councilor At-Large)

MEMBER ABSENT: Mr. Robert Boldt (Ward 4 Councilor, President)

OFFICER(S) PRESENT: Mr. Vince Ruffa (Law Director)
Mr. Dave Pfaff (Finance Director)
Chief Steven Raiff (Police Chief)
Chief Jeffrey Hajek (Fire Chief)
Mr. David Schroedel (Service Director)
Mr. Gary Yelenosky (City Engineer)
Mrs. Amy Jo Washabaugh (Human Service Director)
Ms. Amanda Hutcheson (Parks & Recreation Director)
Mrs. Helen Dunlap (Clerk of Council)

OFFICERS ABSENT: Mr. Samuel J. Alai (Mayor)
Mr. Joe Mandato (Chief Building Official)

APPROVAL OF MINUTES

Ms. Mahnic moved to approve the Regular Council Meeting Minutes dated March 1 & 15, 2021, Work Session Meeting Minutes dated March 1 & 15, 2021, Public Hearing Meeting Minutes dated March 1, 2021, Parks and Recreation Committee meeting Minutes dated March 1, 2021, Service/Safety Committee Meeting Minutes dated March 15, 2021 and Building Codes and Public Building, GPZ Committee Meeting Minutes dated March 15, 2021 as submitted; seconded by Mr. Price. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. The minutes are approved as submitted.

REPORTS AND COMMUNICATIONS FROM DEPARTMENT HEADS AND OFFICIALS

None this evening.

REPORTS AND COMMUNICATIONS FROM THE MAYOR

None this evening.

APPOINTMENTS AND CONFIRMATIONS

None this evening.

COMMUNICATIONS, CLAIMS AND PETITIONS

None this evening.

REPORTS OF COMMITTEES

Mr. Price stated that he had the pleasure of sitting in on the Planning Commission meeting for Council President Boldt last week. They had three items on the agenda, Case 2021-PC #02 which was the Aldi's project. That has been postponed as the builder needs to come back with samples of building materials to be used on the project. With regards to the same property, Case 2021-PC #07, it was approved. That was the lot split of the parcels on the same property. Case 2021-PC #08 was in regards to the JPMS Property II, LLC which is located on Town Centre Drive and that did receive Preliminary Approval. There will be a BZA meeting this Wednesday at 6:30 p.m. in the Auxiliary Gym. He will be there to attend.

Mr. Pavlica stated that there will be a Civil Service Meeting on Thursday, April 8 at 9:00 a.m. in the Mayor's Conference Room and they will be certifying the Firefighters/Paramedics candidate list.

Mr. Goodwin stated that Ordinance 18-2021 regarding Solar Energy Systems has been a long time coming and he is glad to see that we are now going to have some legislation in place to regulate that.

Mr. Wolf stated that from the Safety Committee, the CERT Team is looking for members to volunteer for the PODS. They are going to be having a vaccination POD at the high school on April 24 and May 22.

RESIDENT PARTICIPATION

Mark Cartellone, 8063 Longview Road: He was wondering what the status was of the city getting back together with the County Planning Commission to move forward with the plan for the city. He knows that they had talked back in February about Cuyahoga County Planning Commission was available and we were going to get that ball rolling again. He was out a few weeks so he apologizes if he missed something but he was wondering where we were on that.

Mr. Stelmaschuk stated that he thinks that the Mayor is in charge of that one and he is going to be back so if Mr. Cartellone wants to give him a call or send him an email. He is sure that he would let you know about that.

RESOLUTIONS

Mr. Stelmaschuk presented Resolution 2021-50 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. A RESOLUTION ACCEPTING A 2021 COMMUNITY RECYCLING AWARENESS GRANT FROM THE CUYAHOGA COUNTY SOLID

WASTE DISTRICT IN THE CITY OF BROADVIEW HEIGHTS, AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2021-50; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Resolution 2021-50 is adopted.

Mr. Stelmaschuk presented Resolution 2021-51 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. A RESOLUTION ACCEPTING A GRANT FROM THE OHIO LAW ENFORCEMENT BODY ARMOR PROGRAM IN THE CITY OF BROADVIEW HEIGHTS, AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2021-51; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Resolution 2021-51 is adopted.

Mr. Stelmaschuk presented Resolution 2021-52 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND LEXIPOL FOR LAW ENFORCEMENT POLICY MANUAL AND TRAINING BULLETINS IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2021-52; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Resolution 2021-52 is adopted.

Mr. Schroedel stated that he would like 2021-53 to be a first reading only because he thinks that it should be Tri-County that won the bid.

Mr. Stelmaschuk presented Resolution 2021-53 for a first reading only. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND CARR BROS. FOR CONCRETE IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Stelmaschuk presented Resolution 2021-54 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND PRAXAIR FOR GAS IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2021-54; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Resolution 2021-54 is adopted.

Mr. Stelmaschuk presented Resolution 2021-55 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND CUYAHOGA COUNTY FOR THE RESURFACING OF EAST EDGERTON ROAD FROM BROADVIEW ROAD TO

THE EAST CORPORATION LIMIT IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2021-55; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Resolution 2021-55 is adopted.

Mr. Stelmaschuk presented Resolution 2021-56 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND MEDICOUNT MANAGEMENT, INC. FOR EMS BILLING SERVICES IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2021-56; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Resolution 2021-56 is adopted.

ORDINANCES

Mr. Stelmaschuk presented Ordinance 17-2021 for a second reading. Mr. Goodwin moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. AN ORDINANCE AMENDING SECTION 1024.11 OF CHAPTER 1024 OF THE CODIFIED ORDINANCES OF THE CITY OF BROADVIEW HEIGHTS, OHIO AND DECLARING AN EMERGENCY. Mr. Goodwin moved to adopt Ordinance 17-2021; seconded by Mr. Pavlica. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Ordinance 17-2021 is adopted.

Mr. Stelmaschuk presented Ordinance 18-2021 for a first reading. Mr. Goodwin moved to suspend Council Rule; seconded by Mr. Price. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. AN ORDINANCE ENACTING REGULATIONS FOR THE USE AND INSTALLATION OF SOLAR ENERGY SYSTEMS IN THE CITY OF BROADVIEW HEIGHTS, OHIO AND DECLARING AN EMERGENCY. Mr. Goodwin moved to adopt Ordinance 18-2021; seconded by Mr. Price. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Ordinance 18-2021 is adopted.

Mr. Stelmaschuk presented Ordinance 19-2021 for a first reading. Mr. Goodwin moved to suspend Council Rule; seconded by Mr. Price. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1449 OF THE CODIFIED ORDINANCES OF THE CITY OF BROADVIEW HEIGHTS, OHIO AND DECLARING AN EMERGENCY. Mr. Goodwin moved to adopt Ordinance 19-2021; seconded by Mr. Price. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Ordinance 19-2021 is adopted.

Mr. Stelmaschuk presented Ordinance 20-2021 for a first reading. Mr. Price moved to suspend Council Rule; seconded by Mr. Goodwin. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk,

yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion passed. Clerk read once by title only. AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 ENERGIZED COMMUNITY GRANT(S) FUNDS IN THE CITY OF BROADVIEW HEIGHTS, OHIO AND DECLARING AN EMERGENCY. Mr. Price moved to adopt Ordinance 20-2021; seconded by Mr. Goodwin. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Ordinance 20-2021 is adopted.

MISCELLANEOUS BUSINESS

Mr. Pavlica moved to authorize alcohol sales for the Nights in the Heights Outdoor Concert Series on June 4, July 2, August 6, September 3 and October 1, 2021; seconded by Mr. Wolf. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

Mr. Goodwin moved to authorize alcohol sales for Broadview Heights Home Days on July 8-11, 2021; seconded by Mr. Wolf. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

Mr. Pavlica moved to authorize alcohol sales for Wine Down Wednesday on August 18, 2021; seconded by Mr. Wolf. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

Mr. Goodwin moved to authorize alcohol sales for Polka and Pierogi Day on August 29, 2021, seconded by Mr. Wolf. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

Mr. Pavlica moved to authorize alcohol sales for the Fall Music Festival on September 17 & 18, 2021; seconded by Mr. Wolf. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

Mr. Pavlica moved to authorize alcohol sales for the Firefighters Clambake on October 2, 2021; seconded by Mr. Wolf. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

COUNCIL DISCUSSION

Mr. Price stated that it looks like the City of Broadview Heights is in the alcohol sales business. He hopes that everybody behaves. He wanted to say that he is looking forward to relocating to the Council Chambers. He hears that it may happen within the next couple of weeks and he prays that it is so and he also prays that everyone is staying healthy and if they want to have the vaccination has made arrangements to have the vaccination performed.

Mr. Goodwin stated that he is looking forward to the Polka & Pierogi Day coming up for the first time for the city and those of you of Polish decent certainly today is a big celebration as Dingus Day. Happy Dingus Day to every one of Polish decent.

Mr. Wolf stated that Spring Break for the school district is over tonight so tomorrow you will have to pay attention to those school zones.

COUNCIL OPEN TO THE RESIDENTS

None this evening.

EXECUTIVE SESSION

Mr. Price moved to recess into Executive Session to discuss Pending Litigation; seconded by Mr. Wolf. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

The time was 8:02 p.m.

RECONVENE

Ms. Mahnic moved to reconvene the meeting; seconded by Mr. Price. Roll Call: Mr. Price, yes; Mr. Pavlica, yes; Ms. Mahnic, yes; Mr. Stelmaschuk, yes; Mr. Goodwin, yes; Mr. Wolf, yes. Motion approved.

The time was 8:26 p.m.

Mr. Kovach showed up as council was reconvening and asked to speak.

Mr. Phil Kovach, 8420 Cherry Hill: He stated that he was the President of the Cherry Hill Association. He requested a Stop Sign for Cherry Hill at Route 82. He stated that it was removed during construction of Route 82 and he believes that it is time to reinstall it.

Mr. Yelenosky stated that he will have it installed.

Mr. Kovach stated that with commercial building continuing in Broadview Heights and much of it is abutting residential neighborhoods, he would like to see legislation so that setbacks are larger and include a berm or mound with some sort of trees as a buffer.

Mr. Yelenosky stated that this is done during the development stages that the applicant has to go through prior to receiving approval.

Mr. Kovach stated that he would like to see this in our codified with legislation so that it is in the books.

Mr. Stelmaschuk stated that they are going to be extending the moratorium on submissions for new development so that they can look at everything again. The council negotiates the buffer for each project.

Mr. Kovach asked about the sidewalk on Route 82 and how far east does it go. He wanted to know if it went all the way to Metro Hospital.

Mr. Yelenosky stated that it goes all the way to Ken Mar on the south side and then crosses over and continues on the north side of Route 82. Mr. Yelenosky stated that Mr. Kovach can meet with him and they can discuss any other issues that he might have as they continued to discuss retention issues.

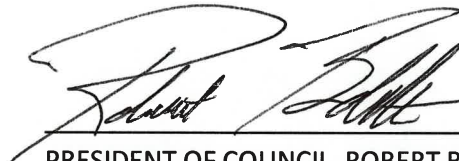
ADJOURN

Mr. Stelmaschuk stated that with no further business to come before Council, this meeting is adjourned.

The meeting adjourned at 8:33 p.m.



CLERK OF COUNCIL, HELEN DUNLAP



PRESIDENT OF COUNCIL, ROBERT BOLDT