

CITY OF BROADVIEW HEIGHTS REGULAR COUNCIL MEETING MINUTES

CITY OF BROADVIEW HEIGHTS

May 18, 2020

Council met in a **REGULAR MEETING**. The Council President Boldt called the meeting to order at 7:50 p.m.

Mr. Pavlica led the Pledge of Allegiance.

MEMBERS PRESENT: Mr. Robert A. Boldt (Ward 4 Councilor, President)
Mr. Thomas Pavlica (Ward 1 Councilor)
Mr. Brian Wolf (Ward 2 Councilor)
Mr. George Stelmaschuk (Ward 3 Councilor, President Pro-Tem)
Mr. Glenn R. Goodwin (Councilor At-Large)
Mr. Joe Price (Councilor At-Large)
Ms. Jennifer A. Mahnic (Councilor At-Large)

OFFICER(S) PRESENT: Mr. Samuel J. Alai (Mayor)
Mr. Vince Ruffa (Law Director)
Mr. David Schroedel (Service Director)
Mr. Gary Yelenosky (City Engineer)
Mr. Dave Pfaff (Finance Director)
Mrs. Helen Dunlap (Clerk of Council)

OFFICERS ABSENT: Chief Steven Raiff (Police Chief)
Mrs. Amy Jo Washabaugh (Human Service Director)
Chief Jeffrey Hajek (Fire Chief)
Ms. Kristina Sorensen (Economic Development Director)
Mrs. Paula Horner (Parks & Recreation Director)
Mr. Joe Mandato (Chief Building Official)

APPROVAL OF MINUTES

Mr. Stelmaschuk moved to approve the Regular Council Meeting Minutes dated April 20, 2020 Work Session Meeting Minutes dated April 20, 2020 as submitted; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. The Minutes are approved as submitted.

REPORTS AND COMMUNICATIONS FROM DEPARTMENT HEADS AND OFFICIALS

None this evening.

REPORTS AND COMMUNICATIONS FROM THE MAYOR

Mayor Alai stated that the Governor announced the opening of the State so to speak and he just wanted to let Council know that we will be moving very cautiously with the emphasis on the safety of our residents, the people coming into this building and our staff. That is how we will open our city back up. We want to move very carefully and methodically. He does not have a date as to when we will be allowing people back in the building but they are working very hard on it right now but again looking at the safety of the individuals walking into this building, whether they work here, are coming into the Building Department or want to work out in the Recreation Center.

APPOINTMENTS AND CONFIRMATIONS

None this evening.

COMMUNICATIONS, CLAIMS AND PETITIONS

None this evening

REPORTS OF COMMITTEES

None this evening

RESIDENT PARTICIPATION

None this evening.

RESOLUTIONS

Mr. Boldt presented Resolution 2020-85 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. A RESOLUTION AMENDING RESOLUTION 2019-51 REGARDING AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND DIGIOIA-SUBURBAN EXCAVATING, LLC WITH RESPECT TO THE STATE ROUTE 82 WIDENING PROJECT IN THE CITY OF BROADVIEW HEIGHTS, AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-85; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-85 is adopted.

Mr. Boldt presented Resolution 2020-86 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, 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 OSBORNE CONCRETE & STONE FOR THE PROVISION OF STONE IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-86; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-86 is adopted.

Mr. Boldt presented Resolution 2020-87 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AN OHIO SCHOOL THREAT ASSESSMENT TRAINING GRANT PROGRAM AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-87; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-87 is adopted.

Mr. Boldt presented Resolution 2020-88 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. A RESOLUTION AMENDING RESOLUTION 23019-138 REGARDING AN AGREEMENT WITH OSBORN ENGINEERING FOR ENGINEERING SERVICES FOR THE WALLINGS ROAD OVER I-77 PROJECT IN THE CITY OF BROADVIEW HEIGHTS, AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-88; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-88 is adopted.

Mr. Boldt presented Resolution 2020-89 for a first reading. Mr. Stelmaschuk moved to suspend Council Rule; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, 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 VERIZON FOR CELLULAR SERVICES AT GSA-FSS APPROVED RATES AND FEATURES IN THE CITY OF BROADVIEW HEIGHTS, AND DECLARING AN EMERGENCY. Mr. Stelmaschuk moved to adopt Resolution 2020-89; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-89 is adopted.

Mr. Boldt presented Resolution 2020-90 for a first reading. Mr. Stelmaschuk moved to suspend Council Rule; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH COMP MANAGEMENT, INC. FOR INCLUSION IN THE OHIO ASSOCIATION OF PUBLIC TREASURERS GROUP RETROSPECTIVE RATING PROGRAM FOR 2021 FOR THE CITY OF BROADVIEW HEIGHTS, AND DECLARING AN EMERGENCY. Mr. Stelmaschuk moved to adopt Resolution 2020-90; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-90 is adopted.

Mr. Boldt presented Resolution 2020-91 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MASTER COOPERATION AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS, VARIOUS MUNICIPALITIES, CUYAHOGA COUNTY AND THE STATE OF

OHIO FOR PREVENTATIVE MAINTENANCE SERVICES AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-91; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-91 is adopted.

Mr. Boldt presented Resolution 2020-92 for a first reading. Mr. Stelmaschuk moved to suspend Council Rule; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, 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 BRIDGE PAYMENT FOR CREDIT CARD PROCESSING IN THE HUMAN SERVICES DEPARTMENT IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY. Mr. Stelmaschuk moved to adopt Resolution 2020-92; seconded by Mr. Wolf. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-92 is adopted.

Mr. Boldt presented Resolution 2020-93 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, 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 QCI FOR CONTRACT ADMINISTRATION, INSPECTION AND TESTING SERVICES FOR THE BROADVIEW ROAD/VALLEY PARKWAY INTERSECTION IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-93; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-93 is adopted.

Mr. Boldt presented Resolution 2020-94 for a first reading. Mr. Stelmaschuk moved to suspend Council Rule; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. A RESOLUTION APPROVING THE FORFEITURE OF EXCESS MONIES HELD IN THE CITY'S DEPOSIT FUND TO THE CITY'S GENERAL FUND AND DECLARING AN EMERGENCY. Mr. Stelmaschuk moved to adopt Resolution 2020-94; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-94 is adopted.

Mr. Boldt presented Resolution 2020-95 for a first reading only. Clerk read once by title only. A RESOLUTION AFFIRMING THAT ANY FUNDS RECEIVED VIA SENATE BILL 310 WILL ONLY BE USED TO COVER CITY COSTS CONSISTENT WITH SECTION 5001 OF THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT AND DECLARING AN EMERGENCY.

Mr. Boldt presented Resolution 2020-96 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, 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 CARGILL FOR THE PROVISION OF ROAD SALT, AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-96; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-96 is adopted.

Boldt presented Resolution 2020-97 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. A RESOLUTION ADOPTING AND RATIFYING THE SUBMISSION OF A GRANT PROPOSAL TO THE MEMBERS COMMUNITY INFRASTRUCTURE PROGRAM (MCIP) OF THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) IN THE SUM OF \$12,000 FOR THE BRAMBLEWOOD PUMP STATION STUDY AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-97; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-97 is adopted.

Boldt presented Resolution 2020-98 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, 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 CT CONSULTANTS FOR A STUDY OF THE BRAMBLEWOOD PUMP STATION SYSTEM AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Resolution 2020-98; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Resolution 2020-98 is adopted.

ORDINANCES

Boldt presented Ordinance 18-2020 for a first reading. Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Motion passed. Clerk read once by title only. AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENTAL TO THE CODE OF ORDINANCES FOR THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY. Mr. Wolf moved to adopt Ordinance 18-2020; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, yes. Ordinance 18-2020 is adopted.

Boldt presented Ordinance 19-2020 for a first reading. Mr. Stelmaschuk moved to suspend Council Rule; seconded by Mr. Wolf. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, abstain. Motion passed. Clerk read once by title only. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FINAL SETTLEMENT AGREEMENT AND RELEASE OF FULL SETTLEMENT OF THE CASE KNOWN AS A. RICHARD MARCELLINO, ET AL, VS. CITY OF BROADVIEW HEIGHTS, CUYAHOGA COUNTY COURT OF COMMON PLEAS, CASE NO. CV19926328 AND DECLARING AN

EMERGENCY. Mr. Boldt called for discussion. Mr. Boldt stated that he would like to thank Mr. Ruffa and his law team for negotiating this settlement. This was nothing that any of council saw coming. It is because of the way that we have the ordinances for Planning in the Special Planning District. At this time, he is going to vote in favor of this settlement because he doesn't think that this type of business should be by anyone's neighborhood. The settlement puts it in more of a business district and out of the backyards of a residential district. It may not be the best business decision but it protects our residents. Mr. Stelmaschuk moved to adopt Ordinance 19-2020; seconded by Mr. Wolf. Roll Call: Ms. Mahnic, yes; Mr. Pavlica, yes; Mr. Stelmaschuk, yes; Mr. Boldt, yes; Mr. Goodwin, yes; Mr. Wolf, yes; Mr. Price, abstain. Ordinance 19-2020 is adopted.

COUNCIL OPEN TO THE RESIDENTS

None this evening.

COUNCIL DISCUSSION

Mr. Pavlica asked everyone to stay safe.

Mr. Stelmaschuk wanted to thank the Mayor, Mr. Yelenosky and Mr. Schroedel. We all had water problems, some more than others and they do the best that they can and he appreciates all that they do.

Mr. Boldt agrees with Mr. Stelmaschuk and he wanted to thank Mr. Schroedel for being out there with his crews the other night helping out some of the people in his Ward. He also talked with the Law Director regarding where the Charter states that we are to have two meetings per month and he asked the Law Director to comment on this issue.

Mr. Ruffa stated that with respect to the Charter stating that there will be two meetings per month, we have satisfied the requirement by having the Council Work Session and the Regular Council Meeting. Having said that, with the circumstances of the pandemic that is going on, even if we did not satisfy the requirement and only held one meeting per month, we would still be satisfying the requirement.

Mr. Boldt stated that the next tentative Council Work Session/Regular Council Meeting will be held on June 8, 2020.

Mr. Wolf stated that the Engineering Department and the Service Department really stepped up. He was out at Majestic Oaks and talked to the Service Department and they were out there during the storm and watching the water do its thing and the water didn't go over the street like it normally does which is a good thing. The other thing that he would like to mention is our first responders and the hospital staffs, they have to wear these masks all day long. He has had it on for an hour and he is not too happy about it. They put a lot more in then you realize so thank you.

ADJOURN

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

The meeting was adjourned at 8:10 p.m.



CLERK OF COUNCIL, HELEN DUNLAP



PRESIDENT OF COUNCIL, ROBERT BOLDT

[Faint, mirrored text from the reverse side of the page, likely bleed-through from the next page.]