

**City of Broadview Heights  
Work Session Meeting Minutes  
August 27, 2018**

Mr. Boldt called the **WORK SESSION** to order at 8:20 p.m.

Mr. Stelmaschuk led the Pledge of Allegiance.

**ROLL CALL**

<b>MEMBERS PRESENT:</b>	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)
	Ms. Jennifer A. Mahnic	(Councilor At-Large)
	Mr. Joe Price	(Councilor At-Large)

<b>MEMBER ABSENT:</b>	Mr. Glenn R. Goodwin	(Councilor At-Large)
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<b>OFFICER(S) PRESENT:</b>	Mr. Samuel J. Alai	(Mayor)
	Mr. Vince Ruffa	(Law Director)
	Mr. Gary Yelenosky	(City Engineer)
	Chief Vizer	(Police Chief)
	Mr. Michael Skvasik	(Building Commissioner)
	Mr. Dave Pfaff	(Finance Director)
	Mrs. Paula Horner	(Parks & Recreation Director)
	Mrs. Helen Dunlap	(Clerk of Council)

<b>OFFICER(S) ABSENT:</b>	Mr. David Schroedel	(Service Director)
	Chief Jeffrey Hajek	(Fire Chief)
	Ms. Kristina Sorensen	(Economic Development Director)
	Mrs. Amy Jo Washabaugh	(Human Service Director)

1. Discussion from the Finance Department. Mr. Pfaff

**a. Tax Rate Resolution for 2018**

Mr. Pfaff stated that this is the annual tax rate resolution. Council adopts this every year. These are the rates that we requested when we passed the alternate tax budget. He thinks that we passed it in June and it was filed in July. This has to be adopted and passed and filed with the county by October 1<sup>st</sup>. The rates that they established were the rates that we requested and the only change from the rates from the previous year was the new .7 mil recreation operating levy.

2. Discussion from the Parks & Recreation Department. Mrs. Horner

**a. Coca Cola Agreement**

Mrs. Horner stated that the Parks & Recreation Department is requesting authorization for the Mayor to enter into an agreement with Cleveland Coca-Cola. We have had a contract with them for many years and we are happy with the service that they are providing. This will be a new 2 year agreement in which Coca-Cola will pay the City of Broadview Heights \$750 each year in up front fundraising. They will also pay the city 25% of all commissions from the full service venting. Coca-Cola will no longer provide products for the concession stands. We will have to sell Coca-Cola products but they no longer have to be purchased directly from the distributor which will be a cost savings for us. This contract was reviewed by the Law Director.

3. Discussion from the Building Department/Law Department/Service/Safety Committee

**a. Pin Oaks fence**

Mr. Ruffa stated that he did not realize that this was on the agenda this evening. He was expecting for it to be next week so he does not have anything at this point. He was going to discuss this with Mr. Skvasik but he has not done that yet. He requests that we put it on the next work session unless it is time sensitive.

Mr. Skvasik stated that he does not know that it is time sensitive. There was information that Mrs. Dunlap included in the packet. He knows from the packet that Mrs. McCarty was present for the meetings that were held in 1998, 2004 as well as July of this year where she claimed that she was not owner of the property but she was the applicant on everything that came forward before that date. He will be prepared to discuss that whenever Mr. Ruffa wishes.

4. Discussion from the Engineering Department. Mr. Yelenosky

**a. Apply for OPWC funds for Rt. 82 widening.**

Mr. Yelenosky stated that he is seeking council approval to apply for OPWC funds for Rt. 82 widening.

5. Discussion from Council.

**a. Discount Drug Mart Lot Consolidation.** Mr. Boldt

Mr. Price stated that they have 3 lots basically that they are consolidating for their project and he knows that there is a portion, the Mayor can maybe highlight that. They may be donating.

Mayor Alai stated that they will be. After further discussion with their engineer that they will be donating the property for future turn lane.

Mr. Price stated that their representative that night could not confirm or deny it and just based on what was put before the Planning Commission, they went ahead and approved it to move forward to council and he basically stated that the principal with the Drug Mart is a resident of the city and he had stated that he was going to donate the land that he is sure that the administration is working with him in good faith. That is kind of how it was left.

Mr. Pavlica stated that he is assuming that the property is going to be along Broadview Road.

Mr. Price stated that is correct.

Mr. Pavlica stated so a turning lane going into heading south or going into heading north.

Mr. Price stated that both of them are in and out, both the one on the north and the one on the south.

Mayor Alai stated wait, he is talking about a turning lane, and we are not putting in a turning lane. They are merely donating land to us in case in the future we want to put a turning lane on Broadview Road and make it 3 lanes instead of 2.

Mr. Price stated right and that was 1800 sq. ft. and that is on the parcel that would have been the furthest south. It kind of juts out slightly into the road and all that they are doing is that they are going to square up the lot and make it straight all the way down.

6. Discussion from Mayor Alai.

a. **Allowing alcohol sales at the Firefighter's Clambake on October 6<sup>th</sup>.**

Mayor Alai stated that this is the routine Firefighter's Clambake and he has signed the application today with the President of the Historical Society so if you put this on, they would like to have that.

COUNCIL OPEN TO THE RESIDENTS

Dennis Gustavson, 963 Tollis Parkway: The only reason that he is here this evening is because he noticed the Pin Oaks fence was on the agenda and he has nothing involved in this fence deal but he quite doesn't understand how this fence which is a private deal, that the city gets involved with it.

Mr. Boldt stated no, it is not technically a private.

Mr. Gustavson asked how it isn't.

Mr. Boldt replied because in 2004 the residents came forth stating that they were requesting a fence to divide their property from the Pin Oaks subdivision. Consequently it was a parameter for them to build the Pin Oaks. Since that time they have sold some of the property off and they still would like to pursue building. The residents still want the fence put up so it went to legal and that is where it sits right now.

Mr. Gustavson stated don't forget that Pin Oaks people modified everything. They were going to put up 10 condos in that space and now down to 6 so they really compromised themselves. Now don't forget that they changed everything, the permits and what you people allow, phase 1, phase 2, everything changed then so he doesn't see how that that would even stand, that document. He doesn't see how it would even stand because everything changed. Remember the guy that got up at one of the meetings here, his argument was that a mail truck come down the road and he had his lights on between 4:30 and 5:00 and if you remember if you were here, that is what he said and of course it was a FED EX truck maybe during the day and that is what he complained about. Now if you look at that road down below it is a cul-de-sac and they have parties down there. He wants a privacy fence is what it boils down to. Now if you recall all the people that were here when they were putting up all of these condos and everything, they were worried about the trees and Jerry got up and said that they are not taking down no trees, the trees are staying. All of a sudden the people got up and left.

Ms. Mahnic stated that she does not remember him saying that he is not taking down any trees.

Mr. Gustavson stated that he is not; he wasn't taking down the trees that these other people were worried about in the back.

Ms. Mahnic stated that he was taking down some trees.

Mr. Gustavson stated that he was taking down the trees in front of him.

Ms. Mahnic stated that he was concerned about the noise from cutting the trees.

Mr. Gustavson stated that he is not worried about it. Cindy has a right to do it. It is her property. She has a right to do it. He doesn't want to see it happen but she has a right to do it. It is hers; she can do what she wants to. It has been in legality for so long, she has a right to do it and he thinks that the 2 homes that are going up in front of him are going to be very nice. He honestly does. But that fence, he thinks is a bad, you people should not be involved in that fence. It is separating out a group of people. That is all that it is. You are separating these people from these people and he doesn't think that the city should get involved. If it was a commercial from a residential then yes. He has seen that in Lyndhurst where a commercial building was put up and a resident complained and they had to put up a fence but not between residents does the city have to get involved. That is all that he has to say and he hopes that they take it under consideration.

Mr. Boldt thanked him for his comments.

Mr. Gustavson asked when they are going to have this under the Safety deal to discuss it.

Ms. Mahnic stated that this specific fence issue has been moved to work session to our legal department. They are having a Service/Safety meeting on September 4<sup>th</sup> on Tuesday at 6:30 but this particular item is in a work session so that all of council can be there and all of them can provide feedback.

Mr. Boldt stated that it will be in 2 weeks from this evening at 7:30 p.m.

#### COUNCIL DISCUSSION

Mr. Wolf stated that September 7<sup>th</sup> is Worldwide Duchene Day and he was going to submit a request for a Proclamation but we did the work session tonight so he will do the next work session even though it will be late.

#### ADJOURN

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

The time was 8:34 p.m.



HELEN DUNLAP, CLERK OF COUNCIL



ROBERT BOLDT, PRESIDENT OF COUNCIL