

**MINUTES  
ORANGE VILLAGE  
REGULAR MEETING  
NOVEMBER 11, 2015  
8:00 PM**

1. Council President Duber, called the Regular Meeting to order at 8:00 p.m.
2. Pledge of Allegiance
3. Roll call
  - Members present: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber
  - Members absent: None
  - Others present: Mayor Mulcahy  
Steve Byron, Law Director  
David Bloom, Treasurer  
Bob Zupan, Service Department Director  
Chris Kostura, Chief of Police  
Mary Catherine Knight, Clerk of Council

President Duber mentioned that the minutes of October 14, 2015 and October 28, 2015 reflect the old style of minutes however the November 4, 2015 are a bit more informative. President Duber asked for a motion.

4. A motion to approve the Regular Meeting minutes of October 14, 2015 was made by Mr. Kline and seconded by Ms. Kluter.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None
5. A motion to approve the Special Meeting minutes of October 28, 2015 was made by Mr. Braverman seconded by Mr. Kline.  
AYES: Kline, Braverman, Kluter, Perry, Barron, Duber  
NAYS: None  
ABSTAIN: Alfred
6. A motion to approve the Special Meeting minutes of November 4, 2015 was made by Mr. Alfred and seconded by Mr. Barron.  
AYES: Braverman, Kluter, Alfred, Barron, Duber  
NAYS: None  
ABSTAIN: Kline, Perry
7. Treasurer's Report of September 30, 2015

Mr. Bloom explained that the Treasurer's Report is for the 3<sup>rd</sup> quarter. General Funds are in good shape. The Village is \$170,000 ahead from January 1, 2015. There was no growth in 2014 and the Village will be \$200,000 ahead by the end of 2015.

A motion to approve the Treasurer's Report of September 30, 2015 was made by Mrs. Perry seconded by Mr. Barron.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

8. Tax Administrator's Report of October 31, 2015

Mr. Bloom pointed out that column 4 has an increase of about \$229,000 of gross taxes collected which the Village is ahead from last year at this time. Also, the Village is ahead about \$140,000 on budget whereas one year ago the Village was \$54,000 below budget.

A motion to approve the Tax Administrator's Report of October 31, 2015 was made by Ms. Kluter seconded by Mr. Alfred.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

9. Old Business of Pending Legislation and Motions

**A. ORDINANCE 2015-28**

An Ordinance facilitating the financing of public infrastructure improvements for the benefit of the Pinecrest Development Project by Pinecrest Project Partners LLC, by authorizing the execution of a cooperative agreement and various related agreements, and declaring an emergency. 3<sup>rd</sup> Reading

President Duber introduced Mr. Price Finley from Bricker & Eckler LLP. Mr. Finley explained the exhibits provided; the lease agreement with Pinecrest Project Partners, LLC; the Cooperative Agreement with the Port Authority and the Declarations of Covenants and Conditions /TIF declaration. The draft of the lease agreement is for the satellite safety station. The TIF declaration will be a recorded document. Bonds will be issued after the Port Authority approves the transaction. The Ohio Revised Code 5709.40 provides the TIF statute. The property owner files the TIF exemption.

Mr. Paul Singerman was present and addressed Council's questions. Mr. Chris Salata was also present.

A motion for the passage of Ordinance 2015-28 was made by Mr. Kline and seconded by Mrs. Perry.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

**B. ORDINANCE 2015-29**

An Ordinance amending Section 143.01 of the Codified Ordinances of the Village and changing the composition of the Police Department by establishing the position of part-time/IT Security Officer, and declaring an emergency. 2<sup>nd</sup> Reading

Mayor Mulcahy noted that the part time officer would be added early next year, most likely January.

**C. ORDINANCE 2015-30**

An Ordinance authorizing the property owned by the Cleveland Chinese Christian Church located at 27700 Emery Road, to obtain sanitary sewer services from the City of Bedford Heights via the City of Warrensville Heights, requiring that the property owner maintain all sewer facilities constructed pursuant to this authority, and requiring the payment of all costs and expenses incurred by the Village in inspecting and permitting the proposed sewer improvement. 2<sup>nd</sup> Reading – Referred to Planning & Zoning (Nov. 17, 2015)

Mayor Mulcahy explained that this was referred to Planning & Zoning. The next meeting is November 17, 2015.

**D. ORDINANCE 2015-31**

An Ordinance declaring certain real property located at 4170 Lander Road surplus property and authorizing the mayor to enter into an exclusive right to sell agreement with J.S. English Company as the broker for the sale of the property and related services and declaring an emergency. 2<sup>nd</sup> Reading

President Duber deferred action until the end of the meeting.

**E. ORDINANCE 2015-32**

An Ordinance authorizing the Mayor subject to confirmation of council, to appoint John R. Marrelli, Jr. as the backup Chief Building Official for Orange Village and declaring an emergency. 2<sup>nd</sup> Reading

Mayor Mulcahy stated that Mr. Marrelli helped the Village during the two week period the Village didn't have a CBO. Someone must be officially designated as the backup Chief Building Official to stay in compliance with state rules concerning certified building departments.

A motion was made to suspend the rules for Ordinance 2015-32 by Mrs. Perry seconded by Ms. Kluter.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

A motion for the passage of Ordinance 2015-32 was made by Mr. Kline seconded by Mr. Barron.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

**F. ORDINANCE 2015-33**

An Ordinance amending Chapter 1321 of the Codified Ordinances of Orange Village to clarify that the Building Commissioner is the Chief "Building Officer" with authority to enforce the Village Building Code. 2<sup>nd</sup> Reading

Law Director Byron stated that this ordinance changes the definition for code purposes.

A motion to suspend the rules for Ordinance 2015-33 was made by Mr. Alfred seconded by Mr. Kline.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

A motion for passage of Ordinance 2015-33 was made by Mr. Kline seconded by Ms. Kluter.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

**G. ORDINANCE 2015-34**

An Ordinance approving the editing and inclusion of certain Ordinances as parts of the various component codes of the Codified Ordinances of Orange Village, Ohio, and declaring an emergency. 2<sup>nd</sup> Reading

Law Director Byron explained that this should be done right away so that it can be effective immediately for violation purposes, code purposes, etc. Mr. Braverman stated he doesn't feel it should be passed on an emergency basis.

A motion was made to take the emergency clause out of Ordinance 2015-43 by Mr. Braverman. No second.

A motion to suspend the rules for Ordinance 2015-34 was made by Mr. Barron seconded by Mr. Alfred.  
AYES: Kline, Kluter, Alfred, Perry, Barron, Duber  
NAYS: Braverman

A motion for passage of Ordinance 2015-34 was made by Mrs. Perry seconded by Ms. Kluter.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

President Duber asked for a motion to enter into Executive Session to discuss the sale of Village property.

A motion to enter into Executive Session to discuss the sale of Village property was made by Mr. Kline seconded by Mrs. Perry.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber  
NAYS: None

Council entered into Executive Session at 8:35 p.m.

Meeting reconvened at 9:04 p.m.

President Duber addressed Ordinance 2015-31 at this time.

**D. ORDINANCE 2015-31**

An Ordinance declaring certain real property located at 4170 Lander Road surplus property and authorizing the mayor to enter into an exclusive right to sell agreement with J.S. English Company as the broker for the sale of the property and related services and declaring an emergency. 2<sup>nd</sup> Reading

Mayor Mulcahy stated that the time frame for the contract's expiration is May 15 with a 90 day extension at the Mayor's discretion.

A motion to suspend the rules for Ordinance 2015-31 was made by Mr. Braverman seconded by Mr. Kline.  
AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber

NAYS: None

A motion for passage of Ordinance 2015-31 was made by Mr. Alfred seconded by Mr. Braverman.

AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber

NAYS: None

10. Audience comments relating to matters which advance the good of the Village – No comments

11. Comments by Council Members

Mrs. Perry – none

Mr. Barron- He and Jud are going to the NOCCA meeting.

Mr. Braverman- Wished everyone a Happy Veteran's Day and was happy that the City of Cleveland had a Veteran's Day Parade to celebrate.

Ms. Kluter- Mentioned that the trash company, Kimble, is working with the residents to exchange large trash cans for smaller cans if wanted. Happy Thanksgiving to everyone.

Mr. Kline- The Planning Commission is discussing landscape design standards. This will consist of criteria that homeowners can apply to property landscape plans. Happy Veteran's Day, Mr. Kline thanked everyone for their service and encouraged everyone to continue serving, they are needed and appreciated. Happy Thanksgiving to everyone.

Mr. Alfred- Attended the NOPEC general meeting. NOPEC continues to grow as an aggregator. Mr. Alfred announced he will not be at the two December meetings. His official end date will be worked out between President Duber and Law Director Byron for replacement purposes.

12. Comments by the Mayor – Mayor Mulcahy thanked Mr. Alfred for attending the NOPEC meeting and announced that Mr. Zupan will be attending the Chagrin River Watershed Partners meeting in December. Mayor Mulcahy offered to place an ad in the December Newsletter to advertise the vacancy on Council.

13. Comments by the Council President – Wished Mr. Alfred well and expressed his gratitude. President Duber, Council and Mayor Mulcahy agreed on the date February 9, 2016 to hold a Special Meeting for the purpose of Council Interviews to fill the open vacancy. Resumes will be due by January 31, 2016.


A motion was made by Mr. Alfred to adjourn the Regular Council meeting; seconded by Mr. Barron.

AYES: Kline, Braverman, Kluter, Alfred, Perry, Barron, Duber

NAYS: None

Meeting adjourned at 9:28 p.m.

  
Clerk of Council  
Mary Catherine Knight

  
President of Council  
Brandon Duber