

**MINUTES
ORANGE VILLAGE COUNCIL
COUNCIL MEETING
NOVEMBER 14, 2018
8:00 PM**

PUBLIC HEARING 8:07 pm

Ordinance 2018-35 - An Ordinance granting a rear yard setback Variance to Mark and Caroline Kangas for their property located at 29850 Smithfield Road, Orange Village, Ohio

Public hearing closed at 8:08pm

1. Call the Regular Council Meeting to order
2. Pledge of Allegiance
3. Roll call

Present: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Others Present: Mayor Kathy Mulcahy
Steve Byron, Law Director
Dana Kavander, Treasurer
Robert Zupan, Service Director
Chris Kostura, Police Chief
Bob Wilson, Fire Chief
Dr. Lynn Campbell, Superintendent Orange Schools
Todd Puster, Treasurer Orange Schools
Juanita Brent, State Representative-elect, House District 12
Matthew Stuczynski, MAS Financial Advisory Services Llc
Anna Girardi, Clerk of Council

4. A motion to approve the Special Council Meeting Minutes of November 7, 2018 was made by Mrs. Kluter seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

5. A motion to approve the Treasurer's Report of Fiscal Year 2018 (thru September) was made by Mrs. Perry seconded by Mr. Kline.

Mrs. Kavander explained the Treasurer's report and explained the Appropriation Ordinance.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

6. A motion to approve the Tax Administrator's Report of October 31, 2018 was made by Mr. Duber seconded by Mr. Kline.

Mrs. Kavander explained the Tax Administrator's report and included a graph for council.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

7. A Discussion of the Bills to be Paid for the month of November 2018 in the amount of \$613,470.88 and additional October 2018 expenses in the amount of \$88,841.87.

8. Audience comments relating to agenda items only –

- A. Michael Mooney here tonight on behalf of his grandfather concerning Mooney's Service Center on Chagrin Blvd
 - They would like to be part of the discussion so he could determine the impact of the legislation (Ordinance 2018-45)

9. Old Business of Pending Legislation and Motions

A. CONCLUSIONS OF FACT ORDINANCE 2018-35

A motion to adopt the Conclusions of Fact for Ordinance 2018-35 was made by Mrs. Perry, seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

B. ORDINANCE 2018-35

An Ordinance granting a rear yard setback Variance to Mark and Caroline Kangas for their property located at 29850 Smithfield Road, Orange Village, Ohio. 3rd Reading

A motion for passage of Ordinance 2018-35 was made by Mr. Bilsky seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

C. ORDINANCE 2018-36

An Ordinance enacting a new Chapter 181 of the Orange Village Codified Ordinances to create the Orange Village Tax Incentive Review Council. 3rd Reading

A motion for passage of Ordinance 2018-36 was made by Mr. Duber seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

D. ORDINANCE 2018-37

An Ordinance Declaring the Improvement of certain Real Property to be a public purpose pursuant to Revised Code Section 5709.40(b); declaring such improvement to be exempt from real property taxation; designating public infrastructure improvements to be made that will directly benefit such property; requiring annual service payments in lieu of taxes; designating a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of such service payments; and authorizing compensation payments to the Orange City School District; and declaring an emergency. 3rd Reading

A motion for passage of Ordinance 2018-37 was made by Mr. Duber seconded by Mr. Kline.

Council introduced Dr. Campbell, Superintendent of Orange Schools. Dr. Campbell thanked the Mayor for her letter and for keeping them informed about the TIF. Mr. Puster stated he will be working to secure a member from the schools. Mr. Puster, Treasurer Orange Schools, also stated that the school district refinanced their debt and saved the taxpayers \$1.4 million in interest costs.

Council President Duber thanked them for coming.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

E. ORDINANCE 2018-38

An Ordinance amending Section 1327.01 of the Codified Ordinances of Orange Village to restate the deposit requirement for professional fees, ratifying prior actions taken in accordance with the established policy of the Village and declaring an emergency. 2nd Reading

F. ORDINANCE 2018-39

An Ordinance granting a yard setback Variance to John and Billie Rawot for their property located at 30 Orchard Circle, Orange Village, Ohio. 2nd reading – referred to P&Z

Mr. Kline explained this will be on agenda for next week's agenda Planning & Zoning/ABR meeting.

G. ORDINANCE 2018-40

An Ordinance granting a rear yard setback variance to Paul Poommipanit and Sarah Mowry for their property located at 4160 Cambridge Court, Orange Village, Ohio. 2nd reading – referred to P&Z

Mr. Kline explained this will be on agenda for next week's agenda Planning & Zoning/ABR meeting. Mrs. Kluter received a letter from the neighbor about this variance.

H. ORDINANCE 2018-41

An Ordinance amending Section 931(B) of the Codified Ordinances of Orange Village requiring persons and/or entities to make a cleaning and repair deposit for use of the Village Municipal Facilities and declaring an emergency. 2nd Reading

I. ORDINANCE 2018-42

An Ordinance authorizing the Mayor to enter into an Agreement with the Village of Moreland Hills for the joint purchase and operation of a sewer camera and locator and declaring an emergency. 2nd Reading

A motion to suspend the rules for Ordinance 2018-42 was made by Mr. Braverman, seconded by Mrs. Kluter.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

A motion for passage of Ordinance 2018-42 was made by Mr. Barron, seconded by Mr. Kline.

Mayor Mulcahy stated the amount changed from sharing an \$8700 cost for a camera only and we were going to purchase the transmitter on our own but are now sharing with Moreland Hills as well so the total is now \$10,350. We are saving money by sharing both pieces of equipment.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

10. New Business and Consideration of

A. ORDINANCE 2018-43

An Ordinance enacting a new Chapter 741, Environmental Regulations for Businesses, of the Orange Village Codified Ordinances to require businesses within the Village to adopt and comply with certain policies that decrease adverse impacts on the environment. 1st Reading

This is the Ordinance Mr. Duber requested. Mr. Duber explained it is a simple, straight-forward ordinance concerning the regulation of plastic bags. He does not think it will be an adverse effect on businesses. Mr. Duber spoke with Sunny Simon concerning this and she is enthusiastic about it. Newspaper bags are not part of it. Great first step.

Discussion on the Ordinance.

Mayor Mulcahy stated she appreciated the intent but there are a great deal of questions concerning this ordinance with enforcement being a big issue. A working committee was formed and will consist of Mayor Mulcahy, Mr. Byron, Bob Zupan, Bob McLaughlin,, Mr. Duber, Mr. Barron and Mr. Kline. They will work through the questions.

A motion to amend the effective date in Section 3 of Ordinance 2018-43 from January 1, 2019 to March 1, 2019 was made by Mr. Duber, seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

B. ORDINANCE 2018-44

An Ordinance amending the annual appropriation Ordinance of Orange Village to change certain appropriations for the fiscal year ending December 31, 2018, repealing certain Ordinances and declaring an emergency. 1st Reading

A motion to suspend the rules for Ordinance 2018-44 was made by Mr. Barron, seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

A motion for passage of Ordinance 2018-44 was made by Mrs. Perry, seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber
Nays: None

C. ORDINANCE 2018-45

An Ordinance agreeing to adjust the boundaries between Orange Village and The City Of Beachwood, pursuant to Ohio Revised Code Section 709.37, and zoning the new territory. 1st Reading

Referred to P&Z and will be on the January 10, 2019 council agenda for public hearing. Mayor Mulcahy invited Mr. Mooney to contact her to discuss the Ordinance and allow them to be part of the process.

11. Audience comments relating to matters which advance the good of the Village –

Juanita Brent, State Representative, gave everyone her telephone number if they needed to contact her. Her first town hall meeting is January 27 at 4pm at Bedford Hts. Rec Center.
Explained the County is trying to pass an ordinance similar to our Ordinance 2018-43. She wanted to make sure we had a transition period in order to give people time to use their existing bags and order new bags.

12. Committee Reports and Comments by Council Members

Mrs. Perry – no report

Mr. Barron - went to NOPEC meeting

Explained what they do and their reasoning and their grant opportunities - we are currently utilizing their grants

Mr. Braverman – no report

Mr. Bilsky - no report

Mr. Kline - no meeting this past week for P&Z. Would like to see a fund set up for economic development and possibly have an adhoc committee for this so we can be proactive. Wished everyone a happy, healthy Thanksgiving.

Mrs. Kluter -- Wishing everyone a Happy Thanksgiving. Praised Mr. Duber for introducing Ordinance 2018-43 – it may not be the answer but it is a beginning.

13. Comments by the Mayor - none

14. Comments by the Council President - none

15. A Motion to adjourn into Executive Session for the purpose of discussing pending or prospective litigation was made by Mr. Bilsky seconded by Mr. Kline.

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber

Nays: None

Entered Executive Session at 9:15 pm

Council Meeting reconvened at 9:55 pm

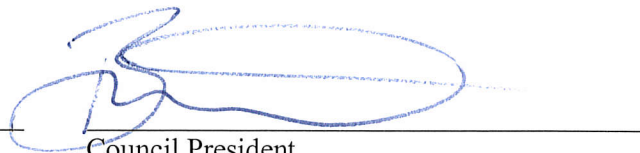
16. A Motion to adjourn the Council Meeting was made by Mr. Kline seconded by Mr. Barron

Ayes: Barron, Braverman, Kline, Bilsky, Kluter, Perry, Duber

Nays: None

Meeting adjourned at 9:56 pm.


Clerk of Council
Annamarie Girardi


Council President
Brandon Duber