

**VILLAGE OF BOSTON HEIGHTS  
COUNCIL MEETING MINUTES  
Tuesday, March 13, 2018  
7:00 PM**

---

The regularly scheduled meeting of the Village of Boston Heights Council was called to order at 8:43 PM on Tuesday, March 13, 2018, by Mayor Bill Gocy

---

**PLEDGE OF ALLEGIANCE**

---

**ROLL CALL**

Council Members Present:

Ron Antal  
Bob Bartko  
Janet Miller  
Heather Davis  
Ron Fenn  
Don Polyak

Other Officials Present:

Bill Gocy, Mayor  
Betty Klingenberg, Fiscal Officer  
Marshal Pitchford, Solicitor  
Brian Gorog, Municipal Engineer

---

**APPROVAL OF AGENDA AS PRESENTED TO COUNCIL**

Motion to adopt the agenda as presented to Council made by **D. Polyak** and seconded by **H. Davis**

Motion passed by Roll Call 6-0

---

**OPEN FORUM**

**Bill Roemer, 3616 Southern Road Richfield, Ohio**

- Impressed by the turnout of residents at meeting
- Represents Summit County Board of Education
- Candidate for Ohio House of Representatives 38<sup>th</sup> District

**Richard Herbig**

- Requests to know what the percentages of abatements are
- Marshal Pitchford, Solicitor advised Mr. Herbig that the version he is reading from is the prior version and there is now a substitute
- Percent change is 100 percent to 85 percent with the same amount of years
- Mr. Herbig stated that he still believes the Village is in violation of the O.R.C. and any council that votes for this ought to examine their heads

---

**Approval of Council Meeting Minutes dated February 13, 2018**

Motion to approve the Council Meeting Minutes made by **R. Antal** and seconded by **R. Fenn**

Motion passed by Roll Call 6-0

---

**ORDINANCE:**

**ORDINANCE 2017-12-20**  
(Third Reading)

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF BOSTON HEIGHTS, OHIO, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM DISPOSAL, INC. AND DECLARING AN EMERGENCY

Motion to return tabled Ordinance 2017-12-20 to the floor made by **H. Davis** and seconded by **D. Polyak**

Motion passed by Roll Call 6-0

Motion to adopt made by **R. Fenn** and seconded by **D. Polyak**

Marshal suggests a motion to amend and to substitute the prior version of Ordinance 2017-12-20 with the version that is being passed out. I will present to the members of Council the primary changes in Section 4. First change in Section 4, is 85% from 100%, bottom of first page, we had added language into Section 7 for the Villages ability to control the abatement on a year-to-year basis, and to revoke the abatement, should the applicant or developer fail to meet the commitments made in the Developer Agreement. It also says that once you have missed your deadlines or fail to comply once the abatement has been terminated, the exemption can only be reinstated for good cause as determined by Council.

The next section that has been added would be Section 12; this is more of a legal concept, it is called a Severability Clause. It allows that should a matter related to this ordinance ever be litigated, it allows that should something be found unenforceable the rest of the ordinance is still enforceable. (this is common place among our Codified Ordinances)

I would also clarify that as part of the motion I would be asking for, would be to replace exhibit "A", we previously discussed a map that had the Hines Hill Corridor called the "yellow map" yellow lines with yellow cross hatch we had a number of different options for Council to consider and have discussed at great length tonight. The map that has the green cross hatch that goes up to N.W. quadrant allows for some of the property on Hines Hill to be included. So along with the motion to substitute in this particular version, I will include the amendment to include this particular map as Exhibit "A".

Suggestion to redraw the lines cutting out the mixed use portion from Dean Memorial Parkway West, South of Hines Hill all the way to the bike and hike trail covering every parcel in between that butts up against the Turnpike.

Marshal Pitchford, Village Solicitor requests, on behalf of the administration, a motion to substitute the version of Ordinance 2017-12-20 that is before you with the additional language of "up to" in Section 4 along with a new exhibit "A" with boundaries being from the corner of Hines Hill Road, the intersection of the Bike & Hike trail, South to the turnpike East, all the way to Dean Memorial Parkway North to the area where the zoning changes to mixed use West until that zoning changes North to Hines Hill and then again West all the way to where the boundaries started.

Motion to accept the amendment as suggested by Marshal Pitchford made by **H. Davis** and seconded by **R. Fenn**

Motion passed by Roll Call 5-1  
B. Bartko – No

Motion to adopt by **R. Fenn** and seconded by **D. Polyak**

Motion passed by Roll Call 4-2  
B. Bartko & J. Miller – No

Motion to change Reading from "First" to "Third" made by **H. Davis** and seconded by **R. Fenn**

Motion passed by Roll Call 6-0

Motion to reconsider prior approval made by **J. Miller** and seconded by **R. Fenn**

Motion passed by Roll Call 6-0

Motion to adopt as amended made by **J. Miller** and seconded by **H. Davis**

Motion passed by Roll Call 6-0

---

**RESOLUTIONS:**

RESOLUTION: 2018-3-9  
(First Reading)

A RESOLUTION APPROVING THE PERMANENT  
APPROPRIATIONS #2 FOR THE VILLAGE OF  
BOSTON HEIGHTS FOR THE YEAR 2018 AND  
DECLARING AN EMERGENCY

Motion to suspend the 3-Reading Rule made by **H. Davis** and seconded by **D. Polyak**

Motion passed by Roll Call 6-0

Motion to adopt made by **D. Polyak** and seconded by **R. Antal**

Discussion held

Motion passed by Roll Call 6-0

\* \* \* \* \*

RESOLUTION 2018-3-10  
(First Reading)

A RESOLUTION TRANSFERRING BOND  
CONSTRUCTION FUND MONEY TO ALREADY  
EXISTING NON-BUDGET FUND NUMBER 9104  
AUTHORIZING CLOSURE OF BOND FUND AND  
DECLARING AN EMERGENCY

Motion to suspend the 3-Reading Rule made by **R. Antal** and seconded by **H. Davis**

Motion passed by Roll Call 6-0

Motion to adopt made by **H. Davis** and seconded by **R. Antal**

Discussion held

Motion passed by Roll Call 6-0

\* \* \* \* \*

RESOLUTION 2018-3-11  
(First Reading)

A RESOLUTION AUTHORIZING ALL ACTIONS  
NECESSARY TO ACCEPT NORTHEAST OHIO  
PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED  
COMMUNITY GRANT(S) AND DECLARING AN  
EMERGENCY

Motion to suspend the 3-Reading Rule made by **R. Antal** and seconded by **H. Davis**

Motion passed by Roll Call 6-0

Motion to adopt made by **R. Antal** and seconded by **R. Fenn**

Discussion held

Motion passed by Roll Call 6-0

---

**MAYOR:**

- Friday, March 16, the Ohio Turnpike Bridge will be closed from 8 AM – 12 NOON for mandatory inspection. The bridge will be open for school buses and safety forces
- Friday, March 23 at 8 AM residents can stop by Village for an opportunity to meet and speak with the Mayor and Police Chief
- Cleveland Water is having an open house on Saturday, May 12 from 10AM – 4PM at 1245 West 45<sup>th</sup> Street in Cleveland

**FISCAL OFFICER:**

Reminder: FIRE LEVY RENEWAL @ .75 MIL ON BALLOT FOR TUESDAY, NOVEMBER 6, 2018 – ISSUE 11

---

**COMMITTEE REPORTS:**

SAFETY COMMITTEE / VALLEY FIRE DISTRICT      R. Antal

- Safety Committee met to discuss ways to help with personnel turnover in the department
- Try not to hire those that are likely to leave

ROADS COMMITTEE / CEMETERY TRUSTEES      R. FENN

- Sunday, March 18 from 1PM – 3PM there will be a felting class
- March 24<sup>th</sup> is the Easter egg hunt
- March 22<sup>nd</sup> at 6:30PM filling eggs

LANDS AND BUILDING / PARK

J. MILLER

- 2 new furnaces & air conditioners installed
- Sandy from the Park Board – discussed budget

Motion that the Village approve the Easter Egg Hunt to be held on March 24, 2018 at Matthews Thomas Park; 12 Noon – 1:30 PM made by **R. Fenn** and seconded by **D. Polyak**

Motion passed by Roll Call 6-0

COMMUNITY DEVELOPMENT

J. MILLER

- No report

PLANNING COMMISSION / BZA

J. MILLER

- Planning Commission met and approved minutes from previous meeting
- PC began discussion of the current fee schedule
- Approval for request for a variance to operate a nail salon in a barn structure on Olde 8 Road
- BZA met and reelected Bill Hinkle, chair
- BZA adopted minutes from previous meetings

ENGINEER

B. GOROG

- Bridge inspection – will allow buses and emergency vehicles only
- Reviewing plans for Akron Children’s Hospital

---

**OLD BUSINESS:**

---

**NEW BUSINESS:**

---

**REMINDER:**

---

**EXECTUIVE SESSION:**

---

**ADJOURN**

Motion to adjourn was made by **R. Antal** and seconded by **J. Miller**

All in favor

The meeting was adjourned at 9:52 PM

  
(Attested by Betty Klingenberg, Fiscal Officer)

  
Date