

# *The Village of Walton Hills*

## *Committee of the Whole Meeting*

Date: April 11, 2017

Time: 6:44 p.m.

Location of Meeting: Council Chambers

Mayor Hurst called the meeting to order. The roll call was taken by Katie Iaconis, Fiscal Officer. Present: Councilpersons Mary Brenner-Miller, Paul Rich, Gloria Terlosky, Don Kolograf, Brian Spitznagel, and Denny Linville. Mayor Hurst also wants the record to reflect that our law solicitor William Mason and Katie Iaconis as our Fiscal Officer and Clerk to Council.

Item C – Persons having business before council. Mayor Hurst says that we have a two-minute time limit. He opens up the floor to anyone who wants to come forward and ask questions of council. Sarah Blondin from 16883 South Meadowpark approaches the microphone and states that she has a comment. She is happy to hear how Chuck Viktor's project moved along and she simply wanted to follow up. She said she could have done this off the record, but did not. She wants to know if the engineers are going to be in tomorrow, if we could reschedule so we do not lose a week. With all the water, the yard is getting worse and worse, so if we could move the project along with the engineers, she would appreciate it. She knows that a week is not going to make too much of a difference, but with permitting, they want to make sure things keep moving along. Mayor Hurst says that is understandable. No more comments or questions from the Walton Hills residents.

Item D - Approval of the Committee of the Whole meeting minutes for March 14, 2017. Councilman Rich makes a motion for approval of the Committee of the Whole meeting minutes of March 14, 2017. Seconded by Councilman Kolograf. No questions or comments. Six ayes approved.

Item E – Approval of Special Council meeting minutes of March 14, 2017. Councilman Kolograf makes a motion for approval of the Special Council meeting minutes of March 14, 2017. Seconded by Councilwoman Terlosky. No questions or comments. Six ayes approved.

Item F - Ordinance 2017-6 – Parking lots. We wanted to make an amendment. He says it is in their packet. Mr. Mason drafted this and cleaned it up to add this to the packages of our ordinances that we already have in existence. Councilwoman Brenner-Miller states she knows we are following federal law, but is asking if the determination of how many handicap parking spaces there are is made by the number of employees or the number of parking spaces available. Mayor Hurst states that from what he understands, because he knows a little bit about ADA, it is every 25 parking spots must have a handicap spot. He said that this is the standing number because not everyone has handicapped employees, but this is the ratio. He explains that here, we have about 150 parking spots and we have about 6 handicap. No questions or comments. Mayor Hurst asks to put this on next week's council meeting for approval. Mayor Hurst opens it up to the audience at this time for questions or comments. None are seen.

Item G - Resolution for ODOT salt program. Mayor Hurst states he put a memo in the councilmember's packets from Dan Stucky encouraging us to do the salt program. He says this is just housekeeping and we do it every year. According to Dan Stucky, we get \$29.23 a ton. We are locked in at a good price at this time. He states he remembers when it went up to \$54 a ton. Mayor Hurst would also like to put this on the agenda as well next week to get this locked in with the agreement. Everyone is in agreement to put that on the agenda for next week. Mayor Hurst turns this over to questions or comments from the audience regarding this matter. None are seen.

Item H – Discussion on the language for the rental agreement for the new Community Center and Banquet Facility. This is the ordinance pertaining to the Community Building, the Banquet Hall, and the multipurpose room. He clarifies that when he says the Community Room, he means the room across the courtyard. When he says multipurpose room, he means the old sanctuary of the church we purchased. When he says Banquet Hall, he means the Banquet Hall. On the second page, Exhibit A, everything stays the same that we started out with. All the clubs, all the same language. The agreement on Exhibit A, nothing changes between Mr. Mason's and my drafts. On Banquet Hall use, on the front page where it says Banquet Hall use, which is Exhibit B, going down to #3, Mayor Hurst changed it to the cost of the rental shall be \$600 plus \$150 for cleanup from the \$500 that the Mayor had in his draft originally. He said the \$150 is the cost for the guy who does the cleaning at the Village Hall. The renter is not in charge of cleaning up and running the vacuum cleaner, etc. They want someone who is bonded and has liability insurance doing this so they do not break anything or do any damage to the facility. He says the reason we went with \$600 is because he used the Hungarian facility as a comparison.

What we are going to get is \$600 every time the facility is opened and then the renter has to make the agreement with the caterer or get their own caterer. They have to get their own bartender and it has to be approved through our police department. The security would have to be through the police department. That is part of the rental agreement when they sign a rental agreement. This is a legislation to affix a price of our starting point for the facility. No comments or questions on this. Councilman Spitznagel asks about their own bartender and states that the language states that beer and intoxicated liquors are permitted with a permit fee from the State of Ohio. He asks if we are allowing the renter to choose a relative or anyone not licensed to run the bartender for the night. Mayor Hurst says no, we are not allowing that because of liabilities and things. This must go through the police department and under the caterer's liability. Mayor Hurst said we will give them a choice of three caterers and if they do not like those three caterers, then they have to bring in their own caterers, but they still have to adhere to the rules. In the final agreement that they sign and say they understand all the rules, this makes them liable. Everyone understands. On the top of the second page of Exhibit B, on letter N, the kitchen facility for the Banquet hall is available for the use of organizations and/or caterers. The "and/or caterers" was added to this sentence.

Councilman Spitznagel states that one thing he liked about the other Banquet hall at the church that gave us their contract was that if you bring your own caterer, they can only use the warming racks and the refrigerator and things. They cannot use the stove and things. He is wondering if we contemplated that. There is a memo that we just purchase some high-end equipment for there for a really good price and he was wondering if we want to contemplate letting people use all that stuff. He said that usually when you hire your own caterer, they cook it somewhere else and they bring it with warmers and things, and they don't need that equipment. Councilman Brenner-Miller says this would limit the outside caterers. She thinks we push for the three that we hire. Mayor Hurst says yes, one is our resident Denny Kolar who asked to be a part of this. He says that with the final agreement that we draw, this legislation gives us, the administration, the ability to make sure that we put language together that everyone is comfortable with. This is tying these facilities together to our ordinance. Councilwoman Terlosky asks about the Women's Club and if they want to have a spaghetti dinner and they want to cook the spaghetti there, can they do that? Mayor Hurst says it would be the circumstances that we would have to see.

He asks Katie to go over the list of what we purchased. Katie says we got a new commercial range/stovetop oven, a convection oven, and a warming rack. Mayor Hurst clarifies that if the Women's Club wanted to use the Banquet Hall for a spaghetti dinner, for example, it would come to council for council's approval as the ordinance is written. They would have to reserve that on June 1. Those dates we would work around. Discussion ensues. Councilman Rich asks if any of these organizations that want to use that hall have to pay any cleanup fees or anything at all? Mayor Hurst says that he does not see any reason for the clubs to use the hall unless there is a specific banquet or something. For example, the Citizen's League wants to Trash to Treasures, a flea market, they can use this hall as they have done in the past or they can use the multipurpose room. We do not want the Banquet Hall opened to the general public

to just come through there. Mayor Hurst says that the Women's Club has the Installation Dinner that is coming up in May that is a formal dinner and they give out their scholarships there. Then he can see them using that. This is also in the middle of the week and it is not a weekend. Councilman Rich asks if someone wants to use the multipurpose hall for a shower or something, how much is it? Mayor Hurst says it is \$100 and a \$150 deposit. If they don't trash it, then they get their \$150 back. Dan Stucky, our service director, will go in and look at everything and signs off on the agreement.

Councilman Kolograf explains how it is spelled out in the agreement. He explains that we don't want to tie up the Banquet Hall, which is a large facility that can hold 300 people for someone who could use the beautiful multipurpose room for 50. He says this is for special things. We want to use these for what they are intended to be used for. Councilman Rich clarifies Exhibit A, Item T, Subsection B – Multipurpose room - \$150 deposit and \$150 a day for the small groups. Councilman Spitznagel asks about the Exhibit B and Banquet Hall use, he understands what Councilman Kolograf is saying, but in subsection B, the use of the Banquet Hall for Village civic or community organizations and for other public purposes shall be subject to all rules and regulations. It uses the same verbiage as it does in A as they will petition the Village Council for use of that Banquet Hall. That would be a separate permission request. He is asking that we are not charging the Village civic organizations to use the Banquet Hall. Mayor Hurst states that it is understandable and we have a problem, then we come to council and we say that this organization has 32 members and they want to use the Banquet Hall, but we can accommodate them here at the Village Hall. We see no reason why they need to use the Banquet Hall unless it is something formal. It is discretionary. Mr. Mason brings Exhibit B to our attention that was intended for anyone who is using the Banquet Hall is going to pay \$600. He thinks that if there is a different intention and this is what we want to do, we will probably need to modify it a bit to make sure that is clear. Mayor Hurst says that he thinks we should put it as being at the discretion of administration and leave it open-ended. Councilman Kolograf thinks we should keep it separate and keep it so that everyone who uses that hall should pay unless there is a real reason. He says we can always amend it or modify it. We want to stay away from the picking and choosing. Mayor Hurst asks Mr. Mason to leave it the way it is.

Mayor Hurst moves on to the next page that says Community or Multipurpose Room Rental Agreement. He says this is the Multipurpose room and the facility across here. On Item 2, it says the service is for residents. We changed it to say it is for parties. They must pay 15 days prior to function. If the party is canceled within 10 days of the function, there is no refund. We also changed the next line where it says that the party who signs the contract must remain on the premises at all times and then we changed the time they have to be out of the facility from 12 a.m. on weekends and 11 p.m. on weeknights. This is for the Multipurpose Room and for the Community Building.

Councilman Spitznagel asks a general question about if he had a caterer, would they be able to cater into those smaller rooms or do they only cater into the banquet. Mayor Hurst said that is up to the renter. Councilman Kolograf states that the only thing that has changed is who can use it – party versus a resident being part of that party. He states that what he didn't want to do was short-change our residents out of using those two rooms. If our Community Room is open with open weekends, and now we are adding another room, then he thinks it is okay. He just does not want to have non-residents booking them and short-changing our residents. Mr. Mason states that in Exhibit A, page 2, Item R, it still says "individual residents of the Village may rent the Community Hall or Multipurpose room subject to the rules herein." In this, we are saying only residents of the Village may rent that room. Mayor Hurst says this trumps that. Mayor Hurst says that on Item 3, we changed the times from 12 a.m. on weekends and 11 p.m. on weeknights. Everyone is okay with this.

The last page is the Rental Hall agreement. We changed it from \$100 and \$150 – 200 person maximum; to \$600 and \$150 security deposit. We changed the same language down there with the parties with the times to 12 a.m. and 11 p.m. as well. Then, on Item 7, Mayor Hurst states that we want to take all of the wording about the tape or things on the walls so they cannot do this. He does not want them to tear up the paint jobs

or hang things. He does not want people hanging things from the grids, etc. Councilman Kolograf states that he thinks that hanging things from the ceilings actually violates some fire codes as well. Mayor Hurst says these are the only changes we have on this rental agreement. Councilman Rich states that on Item 3, the last sentence, a maximum of 5 hours per event is permitted. He is asking if that is going to be enough. Mayor Hurst says we can change it to 6 hours. It will be at the Mayor's discretion anyways when we do the final rental agreement. Councilman Rich thinks we should take that out because this leads to confusion. If you are coming in and renting this and seeing this, you would see that you only have 5 hours and that is not going to work. Mayor Hurst says we can remove that sentence.

This is opened up for questions and comments from the audience. Ray Tinter from 18409 Jefferson Drive speaks. He states he did not hear us mention anything about alcohol and the use of alcohol in these rooms. He does not think you can use alcohol in this room. He states that if you rent the Banquet Hall, you will have alcohol there. Mayor Hurst says it is in the agreement that for the Banquet Hall only, you are allowed to use alcohol. It must go through the Police Department. The renter has to get a permit and a permit number and everything else to allow it to happen. He says we do not need a liquor license to make this happen because we are not selling liquor. We are allowing liquor to be consumed at this facility. That is part of our liability insurance. This is only in the Banquet Hall only. Nowhere else. Nothing is changing. Everything we have as a footprint here is going to be applied to the Multipurpose room.

Councilman Kolograf states that they also have to have security as well when they apply for a liquor permits. Mayor Hurst states that the language does state that if you have over 75 people, you must have security, and it has to go through the Walton Hill Police Department. If you are 75 people and are renting the group, a Women's organization and they do not have any alcohol there, then they can pay for an auxiliary police officer for security, non-commissioned without a gun. If they have alcohol, then they have to pay a fee for a provisioned armed police officer. That language is also clarified. It is in the rental agreement.

Josephine Warth from Egbert Road comes to the microphone and asks if we rent the Banquet Hall and hire a caterer, are they allowed to cook the food at the Banquet Hall or do they have to bring it in? Mayor Hurst says that most caterers bring it in and warm it up; most of them do; but it will depend on the volume of people. The facility will allow for cooking there. Josephine asks about the Multipurpose room at the old church and this Community room and whether they would still be available for the clubs to have their functions free of charge. Mayor Hurst says yes, of course. The choice of which one would be theirs, depending on available. Chuck Victor from Egbert Road speaks and asks if we are going to have anything available on a Saturday afternoon when the weather is nice to have an outside car club meeting or is everything going to be under roof? Mayor Hurst said that if someone wants to use the parking lot, they would have to petition the council because we have always held our car clubs at TGM Park. Mr. Viktor asked if someone wanted to come in with another car club what would they do? Mayor Hurst says that they would have to petition the council and explain what they want to do. Council would make that decision on what would accommodate them. Mr. Viktor asks what the time restriction would be. For example, if they wanted to have it from noon to 6 or something like that. Mayor Hurst says that if he has an interest, present a project to the council and let us discuss it.

Mayor Hurst said that they will put safety cameras up like we have in here and we would probably monitor in-and-out process through the doorways and things. He said they left it open-ended so they could do that. Like we did at the park. We never had all of those cameras at the park until they started tearing up property. Now we have them everywhere except in the bathrooms. Councilwoman Terlosky wants to see this all monitored. Mayor Hurst said he will put this on next week's council meeting along with the salt program and the off-street parking and loading regulations on next week's council meeting.

Item I – Other Business. Mayor Hurst states that as he had talked about for soliciting, we were going to make an Exhibit D for this. Mr. Mason rewrote the ordinance and the Mayor gives out a copy of it. This

basically gives us permission to add Exhibit D with the language, and also brings up the language of a No Solicitor's list at the bottom where it says "86.05 Residents Prohibition by Notice. The Village shall create a No Solicitor's list...." Mr. Mason also put in the language about the placard cards. Instead of it just being a policy, it is in the ordinance. No questions and comments. Mayor Hurst will put this on next week's agenda.

Mayor Hurst now goes into a memo that he gave out because we spent more than \$5,000. He states they bought a refrigerator, convection oven, commercial range, warming cabinet, ice cube maker, stainless steel table, and a coffee urn. Everything was approximately \$16,000. We got several different quotes and that is the best quote that we got. That should be there hopefully by the 19<sup>th</sup>. Mayor Hurst reminds everyone of a few more things. Grand opening and Town Hall meeting on Wednesday April 19 at 5 p.m. At 6 p.m., we will have a Town Hall meeting. We will show a video of before and after of the hall, and then we will talk about Issue 6. Hopefully everyone can attend and we can have a positive meeting. Mayor Hurst asks the council to take under consideration the tax review board. He states we need three members. Mayor Hurst will appoint one and the council will appoint two. The members we had before have reached their expiration so we need to reappoint them. We had Mary Jo Hocesvar, Mary Alice Moran, Chuck Krejci, Debbie Turner, and Lloyd Wareham. Mayor Hurst will contact them and see if they are interested in doing this again. We will appoint these people in the month of May. Mayor Hurst wanted to let everyone know that Todd Industries is now being refurbished and with the council's help with tonight's job creation incentive, we have an opportunity to bring more payroll tax to the Village of Walton Hills. Planning Commission approved Fuel Mart to tear down their old facility and to build a completely new facility. We asked them for a few requirements. They pretty much met our requirements to change the roof a little bit and to also do landscaping and to remove the monument sign out by the road and place a digital sign around the canopy that tells their price per gallon. There will be no more bit concrete and poles to beautify that area. We are now working on the back property that we made an agreement on a couple of years ago for the drainage of the water and everything. Once that is solidified, then they are going to change their electrical connection lines. They are putting in all new pumps. There is a lot of positive feedback to what is going on. Right now, they are going to continue to operate the same hours that they operate now, from 7 a.m. to 9 p.m. or something like that. They are not a 24-hour-operation. The back parking lot will have big concrete things on it so semi trucks to park overnight. They are installing 16 cameras for security. They are also mounting those big concrete bolster things in the front of their building that you cannot run through to get an ATM machine like they are doing in East Cleveland.

No other comments or questions from the council or the audience.

Councilwoman Terlosky motioned to adjourn the Committee of the Whole meeting of April 11, 2017, seconded by Councilwoman Brenner-Miller, and six ayes approved. The meeting adjourned at 7:57 p.m.

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Katie Iaconis, Fiscal Officer