



**City Of Broadview Heights
City Council
Council Meeting Minutes
November 18, 2024 - 7:30 pm**

Call To Order

Boldt: Regular council meeting, November 18th at 7:36.

Pledge of Allegiance

Led by: Ms. Mahnic

Roll Call

Council Members Present:

- Mr. Thomas Pavlica - Ward 1 Councilor, President Pro-Tem
- Mr. Brian Wolf - Ward 2 Councilor
- Mr. Brian Dunlap - Ward 3 Councilor
- Mr. Robert Boldt - Ward 4 Councilor, President
- Mr. Glenn Goodwin - Councilor At-Large
- Mr. Joe Price - Councilor At-Large
- Ms. Jennifer Mahnic - Councilor At-Large

Officers Present:

- Mr. Samuel J. Alai - Mayor
- Mr. Vince Ruffa - Law Director
- Ms. Amanda Hutcheson - Parks & Recreation Director
- Mrs. Kathy Parsson - Human Service Director
- Mr. David Schroedel - Service Director
- Chief Jeffrey Hajek - Fire Chief
- Chief Steven Raiff - Police Chief
- Mr. Dave Pfaff - Finance Director
- Mr. Joe Mandato - Chief Building Official
- Mr. Ethan Neff - Assistant City Engineer
- Ms. Robin Parsons - Clerk of Council

Reports and Communications From Department Heads and Officials

Boldt: Reports and communication from Department of Heads and Officials, Ms. Hutcheson.

Hutcheson: Thank you, Mr. President. We're just finishing up our end of the year purchases and then working on our contracts and special events for 2025. Thank You.

Boldt: Thank you.

Parsson: Tomorrow is our annual Thanksgiving luncheon. We will be serving traditional meal with turkey, potatoes, all that good stuff to about 70 residents. Staff was cooking and prepping all day. Coffee with the mayor will be on Thursday, December 5th, and we are still looking for volunteers for our Salvation Army Red Kettle bell ringing. If anyone is interested, people can call Human Services to sign up for a one hour shift. Thank you.

Boldt: Thank you, chief?

Hajek: No report.

Boldt: Mr. Pfaff?

Pfaff: No report this evening.

Boldt: Chief?

Raiff: This Saturday, the police department is doing a Stuff The bus at Giant Eagle from 9:00 AM to 3:00 PM. So if anyone wants to stop up and make a nice little donation, it all goes to the Human Services Department. That's all. Thank you.

Boldt: Thank you, Mr. Schroedel?

Schroedel: Thank you, Mr. President. This week we are in area B for leaf pickup. We're chugging along pretty well, getting a lot picked up this year. So far, knock on wood, this leaf season's going pretty well. We did pour the pad for the amphitheater today, so I'm happy we got that done in the fall, so we didn't take one thing off our list for the spring. And lastly, I just wanted to bring up that in the past year and a half or so, we've had a quite a few guys retire from the service department. And, we have constantly been looking for new employees. And, I do really feel that we have an excellent young batch of employees. We are, as you know, a certified CDL training center. The last person that went through was Morgan, who is our first female service worker. The tester told Neil Kaczmarek that he wishes we trained everyone that came through. We do such a nice job training these people, getting 'em ready for their CDL that they're very prepared. I almost need to have 'em wear name tags when I go back there now, <laugh>, there's so many new faces, but I'm very thrilled, excited, happy, with the new batch of service workers that we have. Thank you.

Boldt: Thank you kind words about your employees. It's good. Mr. Mandato?

Mandato: No report.

Boldt: Ethan?

Neff: No report tonight. Thank you.

Reports and Communications From The Mayor

Boldt: Reports and communications from the mayor.

Alai: Thank you, Mr. President. Sheetz gas station has gone through its due diligence. Is going to make application with the city to build on the corner of Broadview and Wallings Road. They plan on coming to GPZ on December 9th, and that should be in your packets. Also tomorrow morning, Fleet Team, also known by their parent company name GNCO, will be breaking ground tomorrow at 9:00 AM at their site on Royalton Road. We're really looking forward to working with them and their innovative design and business plans for years to come. That's all. Thank you, Mr. President.

Appointments and Confirmations

None

Communications, Claims and Petitions

None

Reports Of Committees

Boldt: Reports to committees. Ms. Mahnic?

Mahnic: We had a service meeting today. I think everybody was there, so I won't go over everything. Ethan has a lot of homework. He's gonna be getting us a lot of data. That's it.

Boldt: Mr. Dunlap?

Dunlap: Nothing.

Boldt: Mr. Wolf?

Wolf: We had a finance meeting and we're going to be amending \$250,000 to the road fund on its first reading. Also there's a

a Bees monthly newsletter that goes out. I was curious as to who does not get it on council so I can make sure that you get a copy.

Goodwin: I've gotten the one that you've sent.

Wolf: Not email. They send it to your physical home Address, so they only send it to the district. So anybody wants it. Let me know and I'll get you on the list. That's all.

Boldt: Okay, Mr. Pavlica?

Pavlica: I have no report today. Mr. President.

Boldt: Mr. Goodwin?

Goodwin: BZA is meeting here December 4th in this room at 6:30. There's several variances being requested that evening. 6:30.

Boldt: Thank you, Mr. Price.

Price: I have nothing. Mr. President.

Resident Participation

Limited to a single brief statement for each individual wanting to comment on the Resolutions that pertain to this evening's agenda. Limited to three minutes.

None

Resolutions

A. 2024-152 First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND G&G FITNESS FOR THE PURCHASE OF A DUMBBELL SET AND RACK IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-152** for first reading. **Mr. Pavlica moved to suspend Council Rule; seconded by Ms. Mahnic.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Pavlica moved to adopt Resolution 2024-152; seconded by Ms. Mahnic. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-152 is adopted.**

B. 2024-153 First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND DELL TECHNOLOGIES FOR THE PURCHASE OF 15 COMPUTERS IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-153** for first reading. **Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Wolf moved to adopt Resolution 2024-153; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-153 is adopted.**

C. 2024-154 First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW

HEIGHTS AND GRAYBAR FOR THE PURCHASE OF ELECTRICAL COMPONENTS IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-154** for first reading. **Ms. Mahnic moved to suspend Council Rule; seconded by Mr. Pavlica.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Ms. Mahnic moved to adopt Resolution 2024-154; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-154 is adopted.**

D. 2024-155 First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND WORLD FUEL SERVICES FOR 2025 FUEL PURCHASES IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-155** for first reading. **Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Wolf moved to adopt Resolution 2024-155; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-155 is adopted.**

E. 2024-156 First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND THE CUYAHOGA COUNTY COURT OF COMMON PLEAS FOR A JUVENILE DIVERSION PROGRAM IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-156** for first reading. **Mr. Dunlap moved to suspend Council Rule; seconded by Mr. Goodwin.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Dunlap moved to adopt Resolution 2024-156; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-156 is adopted.**

F. 2024-157 First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND DWA RECREATION FOR WOOD STAINING ON THE PAVILION IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-157** for first reading. **Ms. Mahnic moved to suspend Council Rule; seconded by Mr. Price.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Ms. Mahnic moved to adopt Resolution 2024-157; seconded by Mr. Price. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-157 is adopted.**

G. 2024-158 First Reading

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BROADVIEW HEIGHTS AND GANLEY FORD FOR THE PURCHASE OF POLICE VEHICLES IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-158** for first reading. **Mr. Dunlap moved to suspend Council Rule; seconded by Mr. Pavlica.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Dunlap moved to adopt Resolution 2024-158; seconded by Mr. Pavlica. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-158 is adopted.**

H. 2024-159 First Reading

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY

Mr. Boldt presented **Resolution 2024-159** for first reading. **Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Wolf moved to adopt Resolution 2024-159; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Resolution 2024-159 is adopted.**

Ordinances

A. 19-2024 First Reading

AN EMERGENCY ORDINANCE ADVANCING FUNDS - TREEWORTH TIFF FUND

Mr. Boldt presented **Ordinance 19-2024** for first reading. **Mr. Price moved to suspend Council Rule; seconded by Mr. Wolf.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Price moved to adopt Ordinance 19-2024; seconded by Mr. Wolf. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Ordinance 19-2024 is adopted.**

B. 20-2024 First Reading

AN EMERGENCY ORDINANCE TRANSFERRING FUNDS - STREET CAPITAL, REC CAPITAL & CITY CAPITAL

Mr. Boldt presented **Ordinance 20-2024** for first reading. **Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Wolf moved to adopt Ordinance 20-2024; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Ordinance 20-2024 is adopted.**

C. 21-2024 First Reading

AN ORDINANCE AMENDING ORDINANCE 17-2024 PROVIDING FOR APPROVED APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF BROADVIEW HEIGHTS DURING FISCAL YEAR ENDING DECEMBER 31, 2024 AND DECLARING AN EMERGENCY

Mr. Boldt presented **Ordinance 21-2024** for first reading. **Mr. Wolf moved to suspend Council Rule; seconded by Mr. Goodwin.** Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Wolf moved to adopt Ordinance 21-2024; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr.

Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Ordinance 21-2024 is adopted.**

Students

BBH Students

- Allie Baszuk - Pichette
- Lauren Shivy - Elliott
- EJ Sherman - Pichette
- Gabby Maccord - Pichette
- Luca Romito - Pichette
- James Judge - Pichette
- James Mangus - Pichette (guessing on this one)
- Emily Emerick - Pichette
- Mason Long - Pichette
- Madeline Petty - Pichette
- Sophie Harrison - Elliott
- Aleksandra Marinkovic - Pichette
- Libby Wolf - Monteleone
- Jeremiah Samson - Elliott

Executive Session

A Motion to Recess into Executive Session to discuss pending litigation.

Mr. Goodwin moved to recess into executive session; seconded by Mr. Wolf. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Mr. Price moved to reconvene; seconded by Mr. Goodwin. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Resident Participation for Ordinance 22-2024

Boldt: At this time, the mic's open to the residents. If you would like to come forward, state your name and any issues.

Steve Hunsicker, 5771 E. Wallings Rd.: Start the meeting off on a positive note. I wanna say that the planning commission has done an outstanding job on this project. And when I read the petition online common, please, I was a little taken aback by the fact that the appellate appeals to the city's unconstitutional, illegal, arbitrary, capricious, unreasonable and unsupported decision. The two meetings I was in, guys, there was facts and figures and everything else. And in fact, there were two meetings, and the first meeting they tabled it, they came back at the second meeting, and the head of the planning commission who happened to be an architect, took exception with the height of the building, like it exceeds our legal height. So, he and his fellow committee members visited on and everything else, and they came back and said that in all likelihood, we're not gonna pass it. And so they asked the applicant, what do we do? And I don't remember if it was the architect or the attorney, or I don't know who it was, but they said, go for it. Vote for it. They could have had it tabled a second time, but they went for broke. The entire planning commission voted five zero. So anyway, I just think our planning commission is better than that. The mayor appointed them, council approved them, so they're not like some dregs off the road that just happened to be in that meeting. So, thank you.

Andrew Edmunds, 6069 E. Wallings Rd.: Good evening. My name's Andrew. I'll sign the sheet on my way outta the podium here. My address 6069. I live on East Wallings Road. I'm just to the east of the proposed church project. I would hope most of you up here, at this point, kind of know the nature of this project and how the residents feel. We just thought it was a little bit egregious what they're proposing to do, which was an absurdly large project for what we consider to be a small area of land sandwiched right between our residential community. I also found it a little interesting that, number one, it's a little confusing to most of us here. I mean, you guys do this, at least biweekly. So a couple quick questions. Am I allowed to ask a question? Will someone answer a question or, I'm just curious. So, you know, there was an executive session to discuss the litigation piece of this. I'm just curious, is a decision already kind of been made or is there value to our commentary? Up here as residents?

Ruffa: A decision has not been made by this council. In executive session, we are not allowed to make decisions. So no decision has been made. I don't know how these people are going to vote. I only advise them of the legalities and the issues that come up with the project and the case and the federal law that comes into play. But they will all vote independently tonight here on however they want. No one has told me how they're gonna vote, so I don't know how the vote will go, but decision has not been made until they all vote here right now.

Edmunds: Okay. Thank you. That's helpful. So, with that being said, I think it sounds like, our comments, the resident's

comments might offer some value in some context. Like I said, I would hope those voting on this, this issue, I really hope they dug into some of the planning commission notes and really kind of heard our cries as residents, and why we oppose this project. There's a myriad of reasons. I happen to live next door. Noise is one of the biggest problems for me. I also worry about storm water runoff of it's a, I don't know what's on the table at this point, because the planning commission shot down a 55,000 square foot addition with parking lot space. That's a lot of roof square footage and parking lot square footage for water runoff right into my yard. I'm the first victim of all that runoff. So I'm concerned about that. I'm also concerned about it looking like I live next door to a Walmart parking lot with all the lights that are gonna, I mean you gotta put some lights in a parking lot. They already have lights in the parking lot, they're not as disruptive to me currently, but my poor neighbor on the west, that shines right in his window. I mean, sometimes all night long. So, I'll save some talking points for the rest of my fellow residents here. But, planning commission meeting, I share in Steve's remarks that I thought they did a great job listening to the tax paying residents of the community. I think our interests need to be a priority over a religious establishment that really offers; no, sure you could of course make an argument that it offers some value to the community, but I would make the argument that many other parishioners don't live in Broadview Heights. I'm sure some of them do, but it's a large church. The parking lot's always full, grass areas are full. I also just wanna highlight one more thing in a conclusion. I just wanna make sure that everyone understands that this has nothing to do with the fact that it's a church or we don't agree with religion or, everyone knows it's a Ukrainian church. We have no problem with Ukrainians. We have no problem with religion. We have a problem with the way this particular group operates and doesn't respect the residents of the community that they're trying to build a megachurch right in the middle of. Thank you.

Boldt: Anyone else?

Kevin Davis, 5890 W. Wallings Rd: Good evening counsel. Couple just remarks of how everything's going about. Again, the decision has been made, so hopefully these inputs go somewhere. My biggest concern is going through all this, like my neighbors have said, we went through the process, we thought we were done. Heard both sides, and honestly, both sides had valid points. But in the end, it was voted 5-0 to not expand. And as we're here now, it's essentially, as a homeowner, if something does go with this, whether it's they get approved for it financially or the building itself or whatnot, as a homeowner, I can propose something that is ludicrous. My neighbors will absolutely hate me. I will get told no, which should be fair. You get told no, it is what it is, especially after you provide valid points on both sides. And, you know, you even got offered to get an extension, but now I can build something ludicrous. My neighbors hate me. I get told no, and then I can come back to you guys and get something out of it. Whether it be, again, I don't know if it's the outcomes, they get the building, they get financial gains either or. That's concern for me. So if that's voted yes, you're setting a precedent through the entire community, not just our little area, but the entire city. You're voting on something that, hey, you can vote it down, but we don't care. They're gonna get it anyway. And that, that's scary to me. The entire city, a lot of people want to do big projects. I get it. Some of 'em are personal in this game. They're expanding. And we all understood that from the planning commission. They are expanding. We told 'em, and hey, it's great. But the big thing is they weren't fitting in the community. So if all of a sudden things go and pass and they get approved and they don't fit in the community, what are you doing to us? Now we have to move. How's that fair? Again, it's just disheartening. It really, really is, speaking up here, a little difficult. But again, they've come through time and time again. They've found their ways, they've lied their way through the planning commission. We called 'em out on their lies. And now, after getting told no, they're finding more and more loopholes to continue to push this project. At what point is there an official no. Is that tonight that in the future us as residents just want a resolution to this plan and simple? I hope as you hear all of us, it's something that you guys can think of us. We want a community. I don't know what typically shows up to these meetings, but I mean, I got a lot of my neighbors here. And it should show support of our little community. We're on East Wallings, it's basically the dead end of Broadview Heights, only a few of us before we hit Brecksville, yet most of us are here. And we've been here every meeting. And if it gets passed what do we as residents get heard as? Is it just an empty wall? We don't know. I'm not sure if I said my name earlier, but Kevin Davis, I live at 5890 East Wallings right across from the church. I see their activity daily. Never dealt with them though. And I'm pretty sure is a lot of my neighbors, if you get asked, Hey, how many have they have? How many of the church members have talked to us about anything, whether they have events or the building. Most of us will say none. Again, they say they don't hold events, but shoot, just a couple weeks ago they held a wedding. They said in the planning Commission, they don't do that. We could go on and on about that, but it's just, we're hit with lies every time to make themselves look good. So that's all I got. Thank you.

Boldt: Thank you.

Kathy Hunsicker, 5771 E Wallings Rd.: First of all, I wanna say that I respect what the church does. I respect who they are and what they do. But, the reason they came to Broadview Heights is that they outgrew their facility in Parma. So they planted a church in Broadview Heights. Now what's to stop them from planting something somewhere else and right sizing their church for the property. We went through the whole procedure and you made your decision based on a lot of facts. And also the Duncan Factor. And I'm, I wanna say that since the last couple meetings, there's also, in my mind, there's an Igor Factor. When they went beyond their permit in the last project that they had, they went 40 feet beyond their project in the parking lot by our property line with parking lot. I don't know where their snow is gonna go. It's gonna go on our path in the woods. It's gonna go on our property. But they always say, oh, that's okay. Our friend Igor, he just goes overboard. He just builds more, he does more for the church. He thinks it's a good thing to give them more for their money, more than the permit allows. But anyway, that's one of the considerations. We don't know how the Igor factor is gonna factor into this church that they're planning. And tonight, I haven't seen a plan that they have for the new plan. I don't know the elevation of this one or how it fits into the scheme of things. Mr. Emling, that was architect that was here before, was very knowledgeable on things that were required and things that were allowed in the building. And I'm really concerned about the size, whether they even addressed the changes that Emling suggested in his recommendations for the church. The first time they came back they hadn't made the changes to satisfy the Planning commission or Mr. Emling. So I don't know. I haven't seen anything recently after that

meeting, so I don't know what you're voting on. Okay. Thank you.

Ruffa: Mrs. Hunsicker and Mr. Hunsicker, just so both of you know, I would be remiss if I didn't tell you this. Bob Boldt has asked me about this at nauseum, over and over basically, is what I'm trying to say. That encroachment that you're referring to, ma'am, is going to be removed. So there's an encroachment, as you know, in the side setback. So part of this agreement is that will be removed.

Hunsicker: How about the buffer issue?

Ruffa: I'm sorry?

Hunsicker: How about the buffer issue?

Ruffa: What buffer issue are you referring to?

Hunsicker: On the main parking lot that they have right now, which is going to expand quite a bit.

Ruffa: What's the buffer issue? Joe?

Mandato: When they remove that portion of the parking lot there will be no encroachments into the setbacks. What's existing will still exist. What's new will have the 50 foot setback.

Hunsicker: Except I guess the new building goes in, it negates the grandfather clause of the old parking lot, is what my understanding standing was.

Ruffa: No.

Hunsicker: So we're still have a parking lot.

Ruffa: There'll be a parking lot back there. Absolutely. And actually, the parking, one of the things is that they needed more parking per our rules. So we had to demand more parking, but it's all in the back instead of the front. But yeah, the parking is satisfies our, he's not here, satisfies our fire chief. So that was an issue that needed to be addressed in resolving this.

Hunsicker: What about the grandfather issue, though? I thought that was mentioned at one.

Ruffa: It's not an issue, ma'am. I don't know how else to put it, but that's, that's not an issue. That was a mistake on the part of the gentleman that brought that up.

David Gruning, 5814 Wallings Rd.: My name's David Gruning. I live directly across the street from the church. Day one, before they even moved in the place, this is how they've been. I was told by my wife, there's a truck on our front lawn. I look out and somebody is going like this, directing a semi on my front yard. It was the secretary of the church. First thing outta his mouth was we're neighbors. That's not how my neighbors act. My neighbors wouldn't drive across my lawn. If my neighbors needed to drive across my lawn, they would ask, they sure as heck wouldn't direct a semi across my property. That's been the mentality since they've been there. Like others have said, nobody's come over and said, Hey, how you doing? I wanna be part of your community. When they first wanted to move those two houses under their umbrella of their all property to do this, the gentleman said, we're not a community center. We wanna be part of the community. They're not part of the community. They're not trying to be part of the community. They're trying to be their own community in our community. And that's how it's been since day one.

Boldt: Thank you.

Doug Hirzel, 6121 E. Wallings Rd.: My name's Doug Hirzel. I live two houses east of the proposed church. And, one of the thing, I agree with everything that was before. They've heard all this stuff before, the size of this project, they go by legalese and all that. You got this many acres, but most of the acres goes back into the wooded area. 'cause they bought two properties there and half of it's swamp land back there. And they try to, they use acreage to justify the fact that they can build this huge building right out next road as big as four house. It takes up this big, it's a four house a lot, and you'd have to drive by there and actually look at it to, to see the scope of this. This is like a residential. Everybody got houses there and this is gonna look ridiculous. And, I had other things to say, but that's one of the biggest ones. And I agree with everything the other residents have told you. And I don't know, it's causing a lot of anguish and they just don't seem to care. The events and everything they have, they don't seem to care. And it's frustrating. I can't think of nothing else to say right now.

Colton Jernigan, 6330 E. Wallings Rd.: Good evening. Colton Jernigan 6330 East Wallings Road, south side of the road, probably about five houses down from the church. As you see, we continue to band together on this common issue. It was voted down 5-0. As other residents have said, here we are again, from my perspective, you're basically looking and saying that you value the church more than you do your own residents when we have banded together over and over again. Right? When we were given one letter and we brought it up on the May 13th or 19th meeting about how people were not being properly given notification, right? We're scrambling on a Friday because we get word about this meeting on a Monday, which is somewhat almost clandestine from the little information we've been provided. I think it speaks of volumes. All of everyone on

East Wallings, our passion for what we have, the fact that that side of East Wallings is very rural compared to the majority of the city, right? That's a big part of why I wanted to move there. I have friends come over, that's the first thing they say, man, this is really nice for being city country, right? You put their last proposal that I can find that was dated from Cleveland Magazine, they want to go to 49,000 total commercial usage area, right? GIS says the Cuyahoga Valley Church is 49,811. So I brought up the last time I was here about the traffic study, that GDP did of Akron, right? No issues. So I can give you firsthand data. I got outta work on Sunday, a half day, right? Cuyahoga Valley Church is the only one there right now. So for me to turn south, or excuse me, south off ramp to turn on the Wallings took me four iterations to get through the Wallings and Mill light. So we're going to have a church that is going to double that. There is no way real world data says that there is not going to be a negative impact on traffic flow down East Wallings Road. So my assumption is really the poles that you're already starting to set at the corner there, you're just gonna take to this, this city line. So I'm gonna lose frontage. Everyone on the north side though street is gonna lose frontage and another variable that I'm gonna lose, property value. That's all that I have. Thank you for your time.

Boldt: Thank you.

Maria Milos, 6347 E. Wallings Rd.: I'm Maria Milos, 6347 East Wallings Road. I have a question, and maybe I should know this. Exactly what are you voting on? Like, what is the question that you're voting on?

Ruffa: After planning commission rejected the plan there was an appeal filed, a lawsuit filed in Cuyahoga County Common Pleas court. We are voting to settle that lawsuit and allow them to build their church. That's what we're voting on today.

Milos: At the 49,000 square footage.

Ruffa: I thought it was 55,000.

Milos: It was originally didn't meet code, whatever permit, they were violating it. So that was the one council meeting.

Ruffa: They're completely within code now. Everything that was reviewed, by the city they meet all of the city codes completely. So the vote is to determine whether or not they should proceed. And just so you know, this isn't a knock on the planning commission in any way, shape or form. We know what they do is very valuable. We trust what they do. They do it for free, frankly, the issue here is there's an overlying federal law that kind of encompasses this, it's called the RLUIPA Law. It's a religious land use and institutionalized persons act of 2000. Which basically, also somewhat makes it very difficult for us not to approve something like this. So that's a factor that has to be considered by the city as a whole because if there is litigation under the RLUIPA Law, the last one that I'm aware of was in University Heights where a Jewish group wanted to have a schul. And, that schul, was denied by University Heights. They sued under the federal law. Um, and they were awarded 450,000, about \$450,000 in attorney's fees. And the schul still happened. So those are factors that this council has to consider in making a decision.

Milos: So this, we don't basically have a voice. If you're going by legalities, then

Ruffa: I'm required to go by legalities.

Milos: There's no way for us like letters to whoever this is going to court with or anything like that, or appeal to anybody. 'cause basically it's just going by that law and <blow a raspberry> on us.

Ruffa: Well, I'm required to go by the law and I'm...

Milos: I'm just asking you that. Is that yes or no? True or false?

Ruffa: Let me finish. I am required to explain what the law is to council. I'm required to tell them what the ramifications of their decisions are, and that's what I do. Obviously you guys had a voice at the planning commission. The fact that may, it may not go the way you want it to, doesn't mean you don't have a voice, but unfortunately we have to look at the law and take that into consideration in making these decisions.

Milos: So in those two planning commission meetings, were there transcripts of what we said? 'cause there was a lot said by the residents, including noise and lighting and storm water and those things. Were there transcripts? Like, do you get what I'm saying? Do you guys kind of know what we said already? You got the gist of it.

Ruffa: Absolutely. Absolutely. I don't like being the one that says, this is what the law says sometimes, because it's not what everybody likes but the reality of it is engineering's still gonna look at plans to make sure that water issues aren't gonna be an issue.

Milos: There's already water issues. My backyard floods, I'm six houses down going toward Brecksville road.

Ruffa: Well, that's not the church's fault.

Milos: <laugh>, no, that's without the church.

Ruffa: But generally what happens, just so people know generally what happens whenever a project like this comes in, and Joe will attest to this as well, we make them develop the property in a way that not only doesn't add to the problem, but sometimes aids in the problems that exist there. Wouldn't you say that's accurate, Joe?

Mandato: Yeah, I'm not the city engineer, but I know that anytime a project comes to the city of Broadview Heights, they have to maintain their own storm water, which includes a lot of storm water retention, either on the property or diverted away from any residential property. That's for sure.

Milos: So say this happens, and currently I'm six houses down and I can hear a bullhorn in the summer. 'cause they're having a big old party at their pavilion, now they're gonna take two houses. So now I'm only four houses down from it. And I hear a big old bullhorn with a party in the summer. What do I do? I just call the cops. What do I do?

Ruffa: Yeah, you can call the police if the noise is a problem, definitely call the police. They'll come out. I mean, stuff like that happens, I mean, they need to be good neighbors, let's face it.

Milos: But they're not, that's what we've been telling you. And the complete disregard. You weren't here for the two planning commissions. The complete disregard for all of us was clear.

Ruffa: My partner was here so he did fill me in.

Milos: And he will tell you the complete disregard was like palpable. Right?

Ruffa: I'm hoping that the church will be a good neighbor. I can't control that. But if there's a disregard, there's a venue - call the police. My understanding is that the police have gone out there. And I, from what I'm hearing is sometimes that makes things better as well. So, once again, unfortunately, we have to follow the law.

Milos: I mean, it's kind of looking like you're already saying this is gonna happen. So if it happens, I would just plead for you guys to try and do something with those of us that live in the old section of Wallings Road because we really can't afford to go anywhere else. And we've been there for a long time. I've been there 24 years. Where am I going? I live in the shack of a bungalow as it is.

Ruffa: Understood. Understood.

Milos: Thank you.

Jessica Davis, 5890 E. Wallings Rd.: Hi, my name is Jessica Davis. I live at 5890 East Wallings Road. I wholeheartedly agree with my neighbors. I dunno about them, but I'm tired. I'm so tired of having to come to and be like, this church doesn't care about us. We pay our taxes, we vote for you guys. We wanna know we're protected. And it just, it's disheartening to have to keep coming back and doing this. And I understand you guys don't wanna listen to us either. 'cause this is taking time away that you could be spending with your families and it's just a lot. And then speaking of calling the police, I haven't you've done it personally. 'cause I was like, I don't wanna be that person who calls the cops on a church. Like it's definitely a one-way ticket down there, down there. <laugh>. But I mean, reading the cleveland.com article, the cops have been called on them 38 times. How many tickets have they gotten? I don't think any,. How many times do we need to call the cops for something to change if they're expanding? Fine, I'll call the cops on them. I don't wanna waste resources. I don't wanna take them away from things that, actual emergencies. 'cause you know, heaven forbid something actually does happen, they need to go do something. It's just, let's just make a decision and stick with it. Thanks.

Boldt: Anyone else?

Gavin Oranski, 109 Kimrose Lane: Hello, my name's Gavin. I also live on Kimrose Road and I'll just keep it brief. I really hope that council follows federal law. Thank you.

Boldt: Anyone else? Okay, I'm gonna close the residential time.

D. 22-2024 First Reading

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FINAL SETTLEMENT AGREEMENT AND RELEASE OF FULL SETTLEMENT OF THE CASE KNOWN AS SLAVIC FULL GOSPEL CHURCH, INC. v. CITY OF BROADVIEW HEIGHTS, CUYAHOGA COUNTY COMMON PLEAS COURT, CASE NO. CV24-995802 AND DECLARING AN EMERGENCY

Mr. Boldt presented **Ordinance 22-2024** for first reading. Mr. Price moved to suspend Council Rule; seconded by Mr. Dunlap. Roll Call: Ms. Mahnic, no; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, yes; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed.

Boldt: Okay. Discussion.

Mahnic: I have a few, I have a lot of questions.

Boldt: Sure.

Mahnic: Tonight we heard somebody say that this plan exceeds the height requirements. Is that true?

Mandato: I could answer that. That was mistakenly evaluated by Mr. Emerling. It's the average height of the building at a certain point and it does fall within code.

Mahnic: Okay. Does it meet the allowable size of a building on the area of land? 'cause there was an accusation that it exceeds the square footage that is allowed on that space.

Mandato: No. And no variances are needed for that building.

Mahnic: We had mentioned a lot of questions about storm water management and I believe Mr. Ruffa said that it would go to engineering. Does that mean it's gonna go to service?

Ruffa: Well, engineering could make that determination. I don't know that that ever goes to service. Does that ever go to service?

Mandato: No. All, all the drawings will go out for plan review at that time. They submit their civils, they go down to engineering and then they come back for permitting after that.

Mahnic: So is this not following like going to GPZ safety service because it's an expansion of an existing building?

Mandato: Correct.

Mahnic: So that's how it's kind of skipping a traditional.

Mandato: It's not skipping, it's just following the guidelines.

Mahnic: So this will not go to GPZ service or safety. My concerns are all the things that people listed, like noise, storm water, lights, the parking lot, those types of things. We won't be able to modify or try to get some sort of help. 'cause I understand Mr. Ruffa, it's federal law, our hands are kind of tied, but we might be able to get some of these modifications.

Mandato: I'm not equipped to answer that question.

Price: Is this not just a zoning issue? It's not a building codes issue. They still have to meet building codes.

Ruffa: Of course. Absolutely.

Price: It's a zoning issue. Absolutely. So if they have light that diffuses off into other pros, they could force 'em to put, ask 'em to put diffusers on. They're gonna take care of the storm water. The noise, they have to live within the noise complaints. That's an ordinance that can't, this is only a zoning issue that the federal law has an effect on.

Alai: Yeah. Ms. Mahnic. They can't have light pollution. Mr. Price is correct. They can't have light pollution. They have to follow storm water regulations, everything.

Mahnic: But some of the residents are saying that in terms of light pollution, it's a violation now.

Alai: I don't know that to be true, but whatever they build, they can't do that. They have to have photo metrics.

Mahnic: Yeah, but what the one resident said it's into their home.

Alai: Well, one resident spoke for another resident, but everything goes, the photometric plan goes to engineering as well. No light should impede on another property.

Ruffa: They have to follow all of our ordinances. It's not, they don't get free reign in that respect. So if whatever our ordinances say with respect to those issues, they have to meet, it's gonna go through building, it's gonna go through engineering and it's gonna go through plan review.

Mahnic: On the new...

Boldt: Hold on one second. This is not going back to planning.

Ruffa: Plan review.

Boldt: Correct, just so everybody know. Because I talked to Mr. Emily, Andrea, I did not talk to Ms. Davis or Mr. Tamer over the weekend. And their concern was, this is something we didn't vote on. I told them I did not know what was gonna go on in an executive session. They wanted the residents to know that they didn't change their mind. They still did not like the building. So this is a separate issue. This is a legal issue. So that's where we stand right now. And I will call 'em both tomorrow to get them updated of what I've learned.

Mahnic: Okay. So the, the 40 foot issue that was brought up, I believe it was referred to as the Igor factor that is going to be resolved with the new build?

Ruffa: Yes.

Mahnic: Did the church make any changes that planning commission recommended? Residents brought up that planning commission made recommendations.

Ruffa: So, one of the plans, I believe, and I'm going by memory now, had parking in the front. We didn't want any parking in the front. All the parking's in the back, they had to expand the parking. They didn't not have enough parking. They're removing the piece that was referred to as the Igor piece. They're gonna add some fencing along the sides, to avoid people trespassing into other people's yards. But that's the extent of it. Otherwise, they meet all the...

Mahnic: I know they meet, they followed all the variances. But I'm trying to, before we vote on something, try to at least help alleviate some of the inconveniences that we would normally do if we had control of the project. In regards to the noise complaints, a resident mentioned that in an article it said where the police called 38 times or they received 38 tickets?

Raiff: I don't know how many times but I can get you that information.

Mahnic: Can you get the data and then, out of how many times the police had to go out there, what were the consequences if they received any? Because I'm guessing if they were called out 38 times at some point there would be some sort of consequence.

Raiff: I'm not sure if there were citations written. I'll get you the information.

Mahnic: I didn't give you any time to prepare. 'cause I just heard this. There was several people that mentioned concerns with them hosting events such as weddings, are they allowed to host events like weddings at their church? I know my church hosts weddings.

Ruffa: Absolutely.

Mahnic: Because it seems to be,

Ruffa: You said are they allowed to host weddings? Yeah, they're allowed to host. Yes.

Mahnic: Because it seems to be implied that they're not allowed to have events. But they are.

Ruffa: No different than any of the other churches in the area. Yeah.

Mahnic: Is there a traffic study?

Mandato: Yes.

Mahnic: Like an official traffic study?

Mandato: Yes.

Mahnic: And what did the traffic study, are they doing what it says? Like the turn in turnout lanes?

Mandato: Nothing needed.

Mahnic: light signalization

Mandato: From my recollection nothing needed to be changed from the traffic study as it is sits now.

Mahnic: Is there plans to be a follow up traffic study once it's built?

Mandato: No. No.

Mahnic: Can we ask them to do a follow up traffic study and then if something needs to be altered, they can alter it?

Ruffa: What do you mean by altering something? I mean, once it's built, you're not gonna alter it.

Mahnic: Well, like the problem that we're having down at Boston and Broadview, people are concerned that even though our current traffic study says it won't be a problem once it's built, it will become a problem.

Ruffa: That's what they're saying. I don't know if that's accurate on Boston and Broadview.

Mahnic: No, I know, I know that.

Boldt: But I think, I think what she's trying to say is this, if it creates a problem on Sunday afternoon, whenever they have mass, I apologize if I didn't pick the right date. And it's backing up traffic is, are the police, is the administration going to step in and say, Hey, you're required to put a light in there, you're required to at least have somebody directing traffic. 'cause I know the other church does that so. Is that?

Mahnic: Yes, that's exactly what I'm asking.

Boldt: I think that's what she's asking.

Ruffa: Yeah, I think from a directing traffic, Chief, we do it for the church on the corner of Wallings and 77.

Raiff: Not anymore.

Ruffa: And why is that Chief?

Raiff: Based on paying. They were paying officers to be there for traffic. If there's a traffic problem on Wallings Road or something. While we have a cop there now, he's strictly just in the building because they wanted somewhere there all the time. If traffic really backed up and we'll try to alleviate the problem. If not, it's just gonna go by the flow of traffic.

Boldt: Okay. And I get that. So it happens first time, the second time. At what point can the city come in and require some sort of traffic?

Raiff: That's a question for him.

Ruffa: Yeah, that's a good question. I can't give you that answer right now. I don't know that we can.

Alai: Can I maybe add something? And I believe, and if I'm wrong, I was writing notes. Is it Colton that talked about the traffic?

Jahnigan: Yes, sir.

Alai: I will just talk in general about what's going on. We are widening the road and the bridge over the highway that will relieve a lot of traffic regardless of whether it's church on the corner, the church that's being proposed, or traffic going to school and work in the mornings. So the widening of Wallings will take care of a lot of traffic issues. I'm not advocating anything other than to give you that perspective when it's done. The widening of the bridge will help traffic flow for all times of the day. If that helps.

Man from audience: I can't get out of my driveway now. They're gonna make it worse.

Boldt: Okay, Jennifer?

Mahnic: Not necessarily for this, but I think it might be good maybe in rules and ordinance to have a discussion on what happens if a business or church or whatever causes so much traffic that the police have to keep coming out at some point they need to pay for the service or make some alterations. It was mentioned that residents are gonna be losing their frontage. Is this true?

Ruffa: No. No. This is all on the church's property. No property is being taken from anybody. No. So I don't understand quite understand that, but yeah, no, the answer to that is no.

Mahnic: I wish we had more control because if it was a new build, we would be able to try our hardest to make some, make it easier. That's all I got. I'm sure my colleagues have other questions.

Boldt: Anyone else?

Man from audience: Can I just make, I forgot to mention our, I'm concerned about our property values as well. I I don't mean to yell out.

Boldt: I'm sorry. I know. Okay, so I'll ask the question. They're concerned about their property values. That way you're not in violation.

Woman from audience: Can I just say something? The planning commission said this is being called an addition, but they considered in a new construction because you're going from 11,000 square feet to 49,000 square feet. And so the planning commission said, I mean, they're calling it an addition, but really it's a new build and it's a new build 3, literally 3 houses down from the other giant church.

Boldt: Okay, I understand. So you've asked the question, I've closed this section to the public. I asked twice, so please respect. Okay. But as far as the house values and all that, legally there's nothing we can do with that situation that has a...

Ruffa: I've been doing this for 30 years. Every time a project comes up, everybody raises the issue of property values going down because they live next to a project. I don't ever see that. I can't say for certain a hundred percent, but that rarely happens. But that issue does always come up. I understand the issue, I get it, but I don't see that generally happen.

Boldt: And the other question, did it ever change? Was it misrepresented when it was stated from an addition to new?

Ruffa: Irrespective of whatever it is, the overriding federal law is what I've brought to everybody's attention here. Yes.

Mahnic: I think I'd wanna know the answer to that.

Mandato: You're asking me a legal question that I'm not gonna answer. I mean, that's a legal question. That's not a question that you should be asking me. That's not a building department question.

Price: Their argument Ms. Mahnic, was that the addition is larger than the original structure. In the end, the overall structure will be the size. And that's what I think building has to stay with. It has to stay within a certain amount of square footage by the square footage of the lot. A percentage.

Mandato: Right? That's, it falls within the square footage of the lot.

Mahnic: But if it's a new build, it would've come to us and all of our committees. But because it's not a new build.

Ruffa: Regardless, we're beyond that. You know what I'm saying? Like, we've gone through the planning commission rejected it. We're in litigation. We either settle the litigation or we don't, that's where we're at. So.

Mahnic: So if they were gonna get modifications to the project, the best time to have no negotiated, that would've been in the planning commission.

Ruffa: They don't need any modifications.

Mahnic: No, I know, but like, you know, just in good faith.

Ruffa: They did a couple things in good faith, but yeah, no, ultimately they don't need modifications and we can't force 'em to make modifications that if they completely comply within the ordinances.

Mahnic: Right. 'cause we've passed that step. When they got rejected by planning commission

Price: One, one correction though, Ms. Mahnic, you said that they have followed all variances.

Mahnic: No, I didn't. I asked if they did.

Price: I think the record will reflect that by the audio and video recording. I wrote it down as you said it.

Mahnic: It was a question.

Price: Well, you said they followed all variances there. Are there any variances on this?

Mandato: No. So there's nothing for them to follow. They're staying within building codes. That's where language sometimes confuses people. That's why I'm just trying to clear the language up.

Mahnic: Yeah, I just asked a question. I didn't say there was no variances. Vince did.

Ruffa: Yeah.

Boldt: Okay. Go ahead.

Dunlap: Mr. Ruffa? And, I've read the lawyer you're familiar with, as difficult as this is you can't zone God, and even if you were to have a traffic study done, if it was done or not done, the way I understand it, if I'm correct, it would, it would have to be something catastrophically significant that would prohibit such zoning from happening. So I think the zoning, this is what we're talking about here. I personally, my family went through not particular zoning with a church. The state of Ohio had to do with eminent domain. It's very difficult. They bought a farm cut I-71 through that farm. It's hard to swallow. But, I think that's kind of

what we're faced with here. The First Amendment's pretty strong and it's difficult. Very difficult. I feel your struggles, your pain. Thank you.

Boldt: Okay. Anybody else? Okay. I have issue with the 38 calls. Let's say we're off by a few. Anybody's called on more than 20 times. There is an issue that needs to be taken care of. I mean, 30 times, let's say they're short on eight. That's ridiculous. Motion?

Mr. Price moved to adopt Ordinance 22-2024; seconded by Mr. Dunlap. Roll Call: Ms. Mahnic, yes; Mr. Boldt, yes; Mr. Dunlap, yes; Mr. Wolf, no; Mr. Pavlica, yes; Mr. Goodwin, yes; Mr. Price, yes. Motion passed. **Ordinance 22-2024 is adopted.**

Council Discussion

Boldt: Council, go around. Ms. Mahnic?

Mahnic: Nothing this evening.

Boldt: I have nothing. Mr. Dunlap?

Dunlap: Nothing at this time. Thank you.

Boldt: Mr. Wolf?

Wolf: The chief gave me another speed camera update on Marianna. And we did not have any going 83 miles an hour, luckily. So the top speed was 43. The average was 19, which is very good. Kind of the median was 21 to 25, so it's not too bad there, according to the speed camera results. That's all. Thanks.

Boldt: Mr. Pavlica?

Pavlica: I have nothing today, Mr. President. Thank you.

Boldt: Mr. Goodwin?

Goodwin: I have nothing. Thank you.

Boldt: And Mr. Price?

Price: I have nothing to add, Mr. President. Thank you.

Council Open To The Residents

Boldt: Counsel is now open to the residents.

Kevin Davis: Kevin Davis. 5890 East Wallings. I guess with this, my main concern is, so businesses have, hours of operations for a religious establishment. Do they follow under any legal hours of operation that way? Say if things do come up. Obviously. We want them to do what they want to do. Like, again, it's a religion, don't want to harm on anything. But at what hours can we say on certain days that Hey, you're past that time. Is there that legally or no?

Boldt: I believe it's

Ruffa: Well there's the noise ordinances. So the noise ordinances have times on that. And, I don't remember off the top what the cutoff is. I dunno. Do you remember Chief? Without looking at it, I can't remember on the noise ordinance.

Raiff: There are no times on the noise ordinances. And most of the times, like the other churches that have weddings, the times are usually attached to the liquor licenses. That just prohibits what time they can stop selling alcohol. Doesn't, they can have an event until four o'clock in the morning. As long as there's not problems with the noise. Which point we'll be called out and shut them down. I probably guarantee the numbers are probably not real high on citations. I dunno what they're, but we normally go out and say, knock, we're shut back down.

Price: Joe, construction will be limited also. Right?

Mandato: Yeah. Construction is

Boldt: not before 7:00 AM

Mandato: Construction would be seven to seven Monday through Saturday. No construction on Sunday unless authorized by

the city.

Davis: Yeah. So my question's more pertaining, so once the project's finished, like it's a Wednesday, what hour can you say they are not allowed to go to the church for services or whatnot?

Ruffa: Zero. Can't.

Davis: So you can't, so if they show up at one, two in the morning for any services, you can't do anything.

Ruffa: Unless they're, someone calls and there's a noise problem or anything like that?

Davis: So again, two, three in the morning, you don't know what's going on. You have random people in the parking lot. How are we supposed to, as residents react? Is that where we call the police? I just want to have those questions answered.

Ruffa: If there's an issue call the police. Don't ever hesitate to call the police.

Davis: Because again, two, three in the morning you see random car in a parking lot or two, you don't know what they're doing. That's again, I just want to, before we all leave, have some of those answers or questions answered so that we're not blowing up your guys phones.

Raiff: If it's suspicious call we'll come out.

Davis: Yeah, no. And again, it's just, I don't wanna waste resources. You know, I understand this is minor, but again, as a concerned resident, at one point you always have to make the decision of, do I call that non emergency line? 'cause obviously it's not an emergency type resources. So I just want to get that question answered. So all of us, if we do have concerns, when is it, when's not so hours operations. It's really, it's 24/7. They can operate whenever, however, but it is just noise and stuff like that. That's really all that. If we have something, that's what we can call on. Essentially.

Ruffa: If you see anything suspicious, absolutely do not hesitate, you know, to call on things like that.

Davis: Okay. Again, just making sure. So, all right. Thank you for your time.

David Grunning: Again. Name's David Grunning - noise. I've called. I've called, I've called. I've had nothing done. Last time I called, they had an event going on. The officers left. Nothing stopped. I called again. Same officer that came back whom I saw leave with food from the event, told me we didn't ask for food. It was given to us. And the noise still continued. I got it. Pardon me?

Raiff: Do you know the date you called by chance?

Grunning: I can, I have the picture on phone from the, when the event is, I can tell I can get that.

Raiff: I'll catch you at the end.

Grunning: Okay. Nothing has been done. I've called, I've called on the other church up the street when they have something going on where I 600 feet away from me. And I can hear it inside my house. I'm across the street. I'm 200 feet back from the street and they tell me it's fine. Your noise ordinance says it's not to leave their property. They're not to have pa systems, speakers, stuff like that. I'm hearing stuff in inside my house, 200 foot back from the street. And the officers are not doing it. I want the ordinances followed please.

Raiff: I'm gonna address that. I mean the one part, the ordinance though that not leaving your property, I'm sorry, for lack of a better term, it's a ridiculous ordinance. Every time someone's listening to their radio, washing their car, we'd be out.

Grunning: I understand.

Raiff: <inaudible>

Grunning: No, I understand that.

Raiff: I will address the complaints. Give the dates that we did nothing for you and I'll follow up. I mean, when the officer came back, he was one of the officers that was there and told me, well, we didn't ask for food, but they offered it to us. I asked you to follow the ordinance and you didn't pa system going across the street. You know, I'm 200 foot across the street.

Raiff: I'll address it, sir.

Grunning: There was something else. Another point. Lost it. Sorry. <laugh>.

Milos: I'm just, Maria Milo. I just wanna say a couple things. Everything that we're talking about is with the existing 11,000 square foot building. So what is 49,000 square feet of church going to give us when we have all these issues now? Like, that's

huge. That's why we're like this. And what I would suggest to you, because this looks like it's going forward, and I mean this seriously, y'all should buy our property and make that section commercial or industrial or whatever, because you have a mega church and then three houses down, you're now gonna have another like, sports complex. So I would advise you all to buy up our properties and turn it into retail. Best thing you can do, because this isn't gonna go away.

Casey Batule: My name is Casey Batule. I live at 5709 East Wallings Rd, two doors west of the church. I'd like to say that this neighborhood is neglected by our city services. I've been here 23 years. I see ice on the hill. I've had my mailbox taken out three times because people skid off the road because the salt trucks don't come. I see policemen sitting in the megachurch parking lot, about 150 feet back from the street. Now, what they could do there, besides looking at paper or their phone, I don't know, but the cars hit 50 miles an hour. By the time they passed my house on four driveways, two of them belonged to the church. One is my neighbor, none mine. They're hitting 50 miles an hour. By then, by the time they hit the church, they're going faster now. I can't put one in my driveway now because of this kind of stuff. And when I asked the planning commission about what's going to happen when they widen this bridge, they said, well, it doesn't exist in a vacuum. We'll take care of this or we will research this. Well, who the hell researched it says there's no gonna be no problem because there's going to be a problem. There's already a problem. Now I would like to see some easement over there. I would like to see some speed bumps put in the road as there's done an Independence. Slow these people down just for our safety, just for our kids' safety, for the dog's safety. And so these people at the church don't run each other over and they're competing religions.

Andrew Edmunds: Hello again, my name's Andrew Edmunds live at 6069 E. Wallings Road. Some of the, my, my neighbor's comments actually, kind of triggered a couple questions for me. So, uh, you know, God wins today. Good for him. I mean, I'm not happy about it, but it is what it is. I just had a question. I, this is probably more to council. I don't know that the lawyers so much, or the council so much has an interest in this, but is there, so the Slavic Church is very active, so is the Cuyahoga County Church, which, good for them. They're, I get it. It there it's a communal place. It's, you know, a safe place for their congregants. You know, I don't wanna ruin anyone's fun, but is there, I know they have to get permits for events. Is that accurate? Does anyone know, have knowledge on that? Because I actually learned that through the police through calling the police a couple times. And you know, the noise ordinance is kind of confusing to me. I am directly east of the church. The church knows that I find them to be too noisy and respectfully, they have sat down with me and we've tried to work things out. So I'll give them credit for that, but they're still too loud. So my, my first question is, it comes from one of the comments that one of the officers made to me was, well, they have a permit. And I'm like, well, what does that mean? Well, they could make noise till the time on their permit is done with. And I, here again, I don't know any of this. And, you know, I asked the officer, I was like, oh, that's interesting. I had no idea. So my first question is, is that valid? I can't remember what time it was, but is that valid that they could pretty much make as much noise as they want based on these permits? And it sounds, I see you shaking your head. So that's not, not the case. And like I said, I don't know what, I don't remember what time it was. I'm just getting clarification here for future. 'cause I'm gonna unfortunately be calling your guys here and there as much as you need. Alright. I appreciate it. They're always real nice when they swing by, which is too frequent. But that also comes kind of segues into another question I have. So the noise ordinance is, it's from 8:00 PM or 8:00 AM to eight, I'm sorry, 8:00 PM to 8:00 AM is my understanding.

Raiff: That's like outdoor lawn equipment and other stuff like that, right? Not so much just noise.

Edmunds: So they have events sometimes all weekend long. I guess who's to say what's an acceptable level of noise and amplified sound coming from a property to, to speak to Dave's point? I can hear it in my home with my windows down. I keep my windows closed during beautiful weekends of the year, just to drown out some noise. I can experience this for six hours. I mean, it's, it's just painful. I just, it seems like something, I don't know if this is something that could be discussed and I'm kind of new into the city government stuff like this has been eye-opening for me. I'm curious, I know you do city ordinance meetings and I know, I don't know if these things can be, you know, maybe my ward or councilman can help me through this. 'cause I, I think we need to fine tune some things to protect the residents from certain religious establishments. Well, or anything, or anybody that's consistently interrupting the peace and quiet of the tax paying resident. I mean, it's painful. I mean it's, it really causes a lot of distress in my household. And I'm not a dramatic person, but it's super upsetting to me.

Raiff: Are most of these events you're talking about, are they outdoor events or indoor events?

Edmunds: They're outdoor events. Yeah, they're all outdoor events.

Raiff: I was gonna say the the other church is, we have zero calls at Cuyahoga Valley Church. We have zero calls at St. Michael's. And you know, <inaudible>, they don't really hold weddings. They do hold large events. We do get, you know, St. Sava's, they have events every weekend. Rarely called there except for when they have their outdoor summer events. That's when we get called. Hopefully, maybe once they have a bigger facility, I don't know what their plans are. Some of these outdoor events are gonna be moved indoors, which would be ideal if they have a bigger building and we'll get less. Because these other big facilities we never have calls for.

Edmunds: And I'm, my fingers are crossed for that. There's a pavilion in the back that they frequently use for events and parties. They got a stage back there. They got music equipment. I mean, I know their sound guy well because we text and he, he's like, how's the base level? I'm like, dude, come on, my window's still shaking. Please turn it down a little.

Raiff: And we've had to shut down St. Savas. I've been getting complaints of there forever. So.

Edmunds: What I'm getting at with this, but I just feel like maybe, I don't know if the city leadership can help me as a resident

try to like, make my spring through fall more enjoyable to have my windows open. Especially on the weekends. I mean, it's, it's just, it's kind of sad. I mean, 6,000 a year in taxes and I don't know, it's frustrating. It's infuriating,

Alai: Meet with them.

Edmunds: And I'm curious, the last thing I wanna say is if there is permits for events, can we put a limitation on how many permits?

Ruffa: There's no permits.

Edmunds: there's not, I was fed misinformation then.

Boldt: I think, yeah, I was gonna say, I think the liquor permits, everybody's thinking it's something different, but it's only a liquor permit they're getting.

Raiff: And all they do with the liquor permit, it comes to me. But it's basically saying, this is what we're doing, a design of where they're serving alcohol. It's not me saying you can't have your event and you can.

Ruffa: It's controlled by the state.

Boldt: So as far as the noise ordinance is concerned, that's under administration. The mayor and the chief. So the mayor said he would like to meet with you when you get a chance and you guys can discuss that.

Edmunds: That'd be great. I appreciate that opportunity. Alright. Thank you.

Boldt: Anyone else?

Adjourn

Boldt: We are adjourned.

The time was 9:12.