

**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: DECEMBER 14, 2004**

President of Council Swanson presiding.

PRESENT: Mayor Coleman, Councilmen D'Amico, Fatica, Hargate, Mills, Murphy, Nawarskas, Swanson; Clerk of Council Buchak; Fire Chief Bencin; Police Chief Cook; Service Director Evans; Building Commissioner Jamieson; City Engineer Blackley; Finance Director Ianiro; Law Director Paluf.

ST. PASCHAL BAYLON SOCCER TEAM: Members of St. Paschal Baylon Eighth Grade Girls Soccer Team, their families and coaches were present to receive a Resolution of Commendation for the Team on their first place finish in the 2004 Citywide C.Y.O. Soccer Tournament.

BOY SCOUTS TROOP 119: Mr. Mills introduced members of Boy Scout Troop 119 from Lander Road School who were present working on their citizenship badge.

STUDENTS PRESENT AT MEETING: At the request of Mr. Mills, the following Mayfield High School students introduced themselves: Thomas Fink, Terry Allan, John McLeod, and Stephanie McConoughey.

CUYAHOGA COUNTY BOARD OF HEALTH: Mr. Terry Allan, Health Commissioner, with the Cuyahoga County Board of Health addressed Council. He introduced Thomas Fink, John McLeod and Stephanie McConoughey of his office. Mr. McLeod advised the Board of Health has worked with the city since 1920 when the health department was established. He sent a letter to the Mayor in response to inquiries regarding increases that were of concern to Council. He also advised of challenges that public health has faced in recent years, such as:

- The West Nile virus that moved into the United States. This required a lot of activity, education, control, responding to complaints and surveillance among mosquito populations.
- Raccoon rabies moving into Cuyahoga County from Lake and Geauga Counties through Mahoning valley where 5000 baits were distributed to control rabies in the raccoon population. The concern is that raccoons with rabies will mix with pets, cats and dogs. To prevent human transmission, they began to bait working with the State Health Department.
- In response to 911 they have been gearing up in the last two years for potential bio-terrorism outbreaks, building their capacity to do mass vaccinations in communities, recruiting volunteers, building manuals and working with safety forces.
- They have been working with the storm water program and dealing with the need to deal with illicit discharges and water sampling which is a new initiative for them.

Mr. Allen advised they are now looking at the data they present in their annual report to communities. They are trying to provide data that is tied to health indicators such as infant mortality, and looking at issues in terms of preventing some of the major health problems, such as cardio vascular health, smoking, diet, physical activities, diabetes, asthma, and the new morbidities that they are facing in the communities. That goes along with the flu crisis and having to deal with limited flu vaccine and that also ties into the concern about a potential flu pandemic in the United States with the movement of bird flu in Asia.

Mr. Nawarskas thanked Mr. Allen for coming. He advised as Chairman of the L&F Committee he was a little taken aback by the increase in rates for the health department. In 2001 the charge was \$18,000 and now it is \$27,000 which is almost a 50% increase in a five year period. He noted they do send an annual statistical report and that the billings to all cities are based on a per capita of the amount of people who live here and not on the use of the service.

Mr. Allen stated they have gone to great strides to try to limit costs by seeking state, federal and local foundation grants. He stated they are lucky in Cleveland to have a number of foundations that assist in public health initiatives. Mr. Allen advised the report to the city is specific to the community of Highland Heights.

In response to Mr. Nawarskas' question as to whether or not their statistics actually are services that they did perform in the city, Mr. Allen stated they have coding which is logged into a computer based on the work that their field people do. Mr. Nawarskas then asked if in actuality some cities do use their services more than others but still get charged on the number of people who live there. Mr. Allen stated, yes, in some cases depending on what the issue may be it will vary in communities. He further stated for instance, if they had raccoon rabies moving down Highland Heights and surrounding communities, they would go and seek other funds through grants from the state to assist and control the cost. So if then they saw a lead poisoning problem in other communities, they would seek funding from either the center for disease control or the Ohio Department of Health to offset those specific costs.

Mr. Nawarskas asked if the specific categories are by someone calling or are they routine services that they do for the city. Mr. Allen stated many are basic public health services mandated in the revised code and some are based also on complaints that residents may pose in working through council members or working through the building department.

Mr. Nawarskas advised he called the health department once in all these years that he has been a councilman and that was because of odors from a compost pile. The Health Department did come out and take care of that problem. He wondered who makes the calls, is it department heads, administration, Council or individuals. Mr. Allen stated it would be all of the above. He further stated they are talking about marketing themselves because the work that they do is often invisible to people, such as food protection, inspections of schools, vaccinations, responding to rodent complaints, dealing with mosquito control, rabies, collecting data on health indicators and smoking prevention in the schools,

In response to Mr. Nawarskas' inquiry regarding the schools, Mr. Allen stated they are mandated under law at a very basic level to do environmental health assessments in the schools at no charge. They do have some communities where they provide nursing services in the school or a clinic aide is located in the schools providing basic health assessments of the children and dealing with sick children. That is available on a contract with the school system if they so desire. One of the things they also do in the school system that is of no cost to the schools or the community through a grant through United Way and the state is smoking education in the schools. They are starting youth groups to prevent young kids from beginning to smoke and trying to limit smoking even among some of the teachers and other staff in the school and that is at no cost in terms of a direct contract to the cities or the schools.

Mr. Nawarskas advised he was aware of the fact they do receive grants and the amount of money they spend is a lot less than some of the others cities. He noted that in 2003 there were 218 visits, inspections, surveys, investigations, or education in the city.

Mr. Hargate noted that the city's operating budget increases 3 or 4% a year whereas the health department's operating expense has increased 50% over five years. They would like to have some understanding of why that is happening.

Mr. Nawarskas stated Mr. Allen did respond to the Mayor's letter, comparing some of the per capita rates with the other health districts. Also, they were charging Highland Heights on the 1990 census of 6200 people until Year 2000 when they received the new census figure of 8000 people. This was about a 29% increase in the census. The expenses in the last five years have gone up 47%. So you take the 29 and if you add from 6 to 8% per year for about 4 years that would cover the 47% over the five years. I don't know if that is the full answer or not.

Mr. Allen explained that they divide their per capita rates based on the census. The 1990 census data became available in 1992 so then those per capita numbers were used. The 2000 census data became available for us in 2002, so you saw that direct increase in that population gain which is responsible largely because of that particular increase. Mr. Allen advised their rate of \$3.35 per capita is far and away the lowest rate in the State of Ohio and they are the largest health district by population. He advised the rate for the City of Cleveland is \$21.20 per capita, Columbus at \$26.90 per capita, Dayton-Montgomery combined health district is at \$21.70 per capita and Summit County General Health District is at \$11.30 per capita.

Mr. Nawarskas asked if a government agency opt out of a program such as West Nile virus, would the cost change. Mr. Allen explained if a resident calls them directly, they will go out and respond to the residents' concern. The rate is based on per capita because the services are not always evenly distributed. There may be higher need of services in one community for one range of services and lower for another. It is known as a slate of services that may be used on different rates depending on the needs as they are presented in the community. Mr. Allen further explained for instance the rates of smoking among youth are rising rapidly which portends huge health care costs 20 years from now so that when they reach into the school system and try to find grant money to pay for the cost for smoking prevention among youth to get that message out about avoidance skills related to that we think that is an important program. Mr. Allen stated if they think for instance there is something they are not delivering they would do everything they could in terms of seeking outside dollars to try to meet those needs. Mr. Nawarskas stated but if there is something they are delivering that the city did not want, need or require, the city does not get a credit for it. Mr. Allen stated that is not how the system works.

Mr. Allen offered to meet with a Council committee to make briefings more frequently so they would have a better sense and depth of the services they provide.

Council President Swanson thanked Mr. Allen for coming.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held November 23, 2004 was dispensed with. Mr. Fatica requested an amendment on page 3, under the Park & Recreation Commission Report, third paragraph, strike the first sentence and replace with, "In

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response to Mr. Mills' question regarding painting of the pool, Mr. Fatica advised the pool was last painted in 2001". Miss. D'Amico moved to accept the Minutes as amended; seconded by Mr. Mills. Ayes all; abstain Nawarskas; motion carried.

The reading of the Minutes of a Special Meeting held December 7, 2004 was dispensed with. Mr. Mills moved to accept the Minutes as written; seconded by Mr. Nawarskas. Ayes all; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Chief Bencin reported on December 7, 2004 they tested the emergency siren. They were assisted by the police department and Councilmen Hargate, Mills, Nawarskas Murphy and Swanson who were spread out in the city listening. The northern part of the city and well into Willoughby Hills, heard the siren. The southern part of the city from Wilson Mills Road south could not hear very well. They are looking at options to cover the whole city. Some options are raising the siren, putting the siren on a pole or working with Mayfield Village and sharing the cost to install additional sirens.

Police Chief's Report: Chief Cook reported for the month of November the Police Department responded to 825 calls for service, 9 property damage accidents 7 of which involved personal injuries; and, 25 prisoners were held in their jail facility for a total of 535 hours.

Chief Cook also reported this week they will be implementing the LEADS (Law Enforcement Automated Data Systems) line which is from the Ohio State Highway Patrol. They are training for that to start in the month of January and he has notified CRIS that the city is terminating their contract starting February 1st.

Chief Cook also reported they received Z26 TASER units and all officers have been trained in their use. Starting in January the officers will be trained in the department policy and will be carrying the Tasers. This is another use of non-lethal force that the officers have. Extensive research has been done on the use of the Taser and they feel it will be a definite asset for the officers.

In response to Mr. Fatica's questions Chief Cook advised the recovery from the Taser is immediate, 3 to 10 seconds. They had 10 officers volunteer to be Tasered. The individual Tasered would be incapacitated but is not unconscious. The Taser works by putting a volt of electric through the system, affecting the muscular system. It is incapacitating, it is not a pain compliance device but is more of a muscular system device which disables the person. Chief Cook stated they would prefer to use a non-lethal method whenever possible. He also advised the officers are strictly trained not to use the Taser if there is water.

Service Director's Report: No report.

In response to Mr. Mills; comment that everything seemed to go well during the recent snow storm, Service Director Evans concurred. He estimated they had 8 inches of snow in a 36 hour period and had staff in full time from midnight Sunday to about 5 p.m. today. And, they will be back out this evening. Mr. Evans stated the manpower is extremely strained; however, the equipment held up pretty good. A lot of mail boxes went down from the heavy snow and they will be out helping people get the mail boxes back up. Mr. Evans estimated they used probably

over 400 tons of salt and started taking delivery on salt today. Fortunately that is the first hit this year so budget wise they will make it through OK this year.

In response to Mr. Mills' inquiry regarding the leaf pickup, Mr. Evans reported they were substantially complete with the leaves about a week ago but did send a crew out last week to pickup straggler piles.

Mr. Nawarskas commended the Service Department on cleaning the sidewalks so the kids could walk to school.

Mrs. Murphy asked what the policy is and what the home owner should be instructed to do if their mail box is allegedly knocked down by the snow plows.

Mr. Evans reported anytime a mail box goes down the service department will respond and try to help a resident get it back up regardless of why it went down because there can be so many different factors of why. Not the least of which is occasionally they do hit them. They go out and look for physical evidence to see if any city truck trucks hit it. They also have the drivers report in anytime that they know they hit a mail box. They do not discipline people for that because they want that information so they can get that person's mail box back up and into service as quickly as possible. More often than not it is a case of wet heavy snow pushing the box over. Other factors contributing to that is the age of mail box and the age of the post underground. If it is something they know they physically hit, they will make sure that box gets repaired properly.

Mrs. Murphy asked if the resident should call the Service Director. Mr. Evans stated, yes.

Mrs. Murphy then asked Mr. Evans to address speed for the snow plows. Mr. Evans stated that under no circumstances do Service Department operators exceed the speed limit on any of the city roads. All their people are trained individually. They do especially at the beginning of the year and last week prior to the now, they went through procedures. He stated they do not encourage anyone to speed and he didn't think they had a problem with that. Mr. Evans also stated they have a very good safety record that this is his fourth winter and they have not had any major accidents related to snow plowing. He advised if there is a problem with someone speeding that is something they will look into and address.

Building Commissioner's Report: No report.

City Engineer's Report: City Engineer Blackley reported four items:

1. Issue II Funding -- preliminary ranking. There were approximately 70 projects that put in for Issue II Funding. The DOPWIC Committee has 37 million dollars to go out. The city's highest scoring project came in about 50 out of 70. The majority of the money went to the City of Cleveland and Cuyahoga County projects. They had two good projects but the projects that reap the lion's share of money generally are projects that serve a much larger service population. The final results have not been posted as yet.
2. Engineer Blackley and Service Director Evans walked a section of the Bishop Road Creek as requested by Council previously. This time they walked between Highland Road and Hawthorne and found that in general the creek was in fair to good condition between Highland Road and about 643 Bishop Road. And then from 643 Bishop Road to Hawthorne the creek was very heavily overgrown with brush, a lot of silt and debris,

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and the channel was rather narrow. When they have walked the entire creek, Mr. Blackley will prepare a summary report along with some exhibits showing what they saw, photographs and cost estimates. Depending on weather conditions that may not come for several months from now.

3. Mr. Blackley recommended passage tonight of Agenda Item No. 11, Ordinance 38-2004, which would be enacting new chapter 1339 for storm water management. This is based on the model ordinance that went through the Drainage Committee. The committee met this evening and recommended approval. It is on Third reading.
4. The Drainage Committee also discussed Item No. 12, Ordinance 39-2004. It is their recommendation that this ordinance be sent to the L&F Committee to specifically review section 1335.10 which is titled, Power to Correct Drainage Problems. This section was taken from existing ordinance 1335 and makes reference to the Ohio Revised Code Section 715.41. The Committee would like L&F to take a look at that specific reference and then perhaps it could be discussed in the Committee of the Whole.

Finance Director's Report: Finance Director Ianiro advised there are four items on the agenda which pertain directly or indirectly to the Finance Department. Two require passage tonight. Nos. 9 and 13, Ordinances 36-2004 and 42-2004, one amending the 2004 appropriations and the other providing temporary appropriations for the year 2005. Mr. Ianiro respectfully requested Council's passage of those ordinances this evening because they have to be approved before the end of the year and this is the last Council meeting. Mr. Ianiro then apologized for the monthly reports getting out late for November. He advised they had an issue in the Finance Department with ACH credits that they weren't aware of that showed up on the bank statement and they had to track those down. When they did everything was fine but the reports went out late.

COMMITTEE REPORTS:

Drainage Committee: Miss D'Amico reported the Drainage Committee is recommending that Proposed Ordinance 39-2004 be sent to the L&F Committee for review.

Home Days Committee: No report.

Mayfield Area Recreation Council (MARC): No report.

Legislative & Finance Committee: Mr. Nawarskas reported in a meeting held December 7th they discussed the following:

- The 2004 amended appropriations (Item No. 9 on the agenda). Council received a letter from the Finance Director on December 10th, amending slightly his original submittal. L&F recommends that be approved tonight.
- The 2005 temporary appropriations which will receive third reading tonight. L&F recommended approval.
- Review of the 2005 permanent appropriations. Because Council will be approving the temporary appropriations which covers the first quarter of next year there is no emergency to get that done this year. They will hit that heavy in the beginning of 2005. By then the committee will have an opportunity to look at the detail and will share it with council.

- The contract with James G. Zupka in the amount of \$11,250 for the conversion of the financial statement is on tonight's agenda for first reading. That can receive 3 readings.
- The Cuyahoga County Board of Health contract was discussed again tonight. L&F recommended that be added to the agenda for third reading and approval.
- Proposed Ordinance 29-2004 pertaining to ground features projection into yards. This is for the addition of the sports courts. Building Commissioner Jamieson did provide all the information they requested. L&F recommended approval this evening.

Park and Recreation Commission: No report.

Mr. Mills commended Mr. Fatica and the Recreation Department for a fantastic Holiday Christmas party this past Saturday stating that it was an excellent event and a good time was had by all.

Safety & Service Committee: No report. Mr. Hargate requested that a meeting be scheduled in January to continue discussing the Emergency Operations Management Plan with the Fire Department and the Police Department.

Planning and Zoning Commission: Mrs. Murphy reported at a meeting held December 13, 2004 the following action took place:

- **Adam Wahl, 860 Ford Road.** Approval was given for a height and overall size variance for a proposed accessory building.
- **BVQ, S/L 26, 371 Shetland Court, Aberdeen Area "G".** BVQ received final home approval for a 3000 SF residence to be constructed on S/L 27, in Aberdeen Area "G".
- **Anthony J. DeCarlo, 6356 Highland Road.** Mr. DeCarlo appeared before the Commission for review of a request for a variance for a side yard fence for his residence located at 6356 Highland Road. A hearing has been set in January.
- **SprintCom, Inc., on property located at 6151 Wilson Mills Road.** Approval was given for the placement of two wireless telecommunication antennas to be located on the rooftop of Highland Place at 6151 Wilson Mills Road.
- **Progressive Claims Service Center, Alpha Drive (north of 625 Alpha Drive).** The request for a Claims Service Center as a Like or Similar Use on a proposed site in a PCM area of Alpha Drive was denied. The vote was 4 to 1.

Commission on Aging: Mrs. Swanson reported a wonderful holiday party was held for the seniors. They were entertained by the Mayfield Jazz Ensemble which is an outstanding group of youngsters. Everyone had a wonderful afternoon. The blood pressure program will be held on Friday, December 17th. The next Commission Meeting will be Monday, December 20th.

Economic Development Committee: No report.

Law Director's Report: Law Director Paluf reported Item No. 4 regarding parking of recreational vehicles would be for first reading as they have more work to do on that and he is also doing further research. He noted that Council President Swanson was going to refer this legislation regarding the parking of recreation vehicles to L&F.

MAYOR'S REPORT: Mayor Coleman reported several items:

- Council President Swanson had mentioned concerns regarding the Economic Development Committee. Mayor Coleman suggested further discussion in the next Committee of the Whole.
- A list of the Mayor's appointments was given to Council. Three additional appointments were omitted – the reappointment of James Mathay to the Civil Service Commission and the appointment of Bill Urban for the P&Z Commission. Another that was intentionally left off is Pat Boyce who works for Philips. Mayor Coleman stated he had no problem with Pat Boyce serving on the committee, but wanted to make that appointment after the makeup of the committee is discussed.
- Mayor Coleman reiterated what Mr. Mills said about the Holiday party. Recreation Director Dave Ianiro displayed great enthusiasm again at the Holiday party as did the entire P&R Commission. Dave made some changes to the annual party. Historically, the party involved a McDonald's big breakfast that they try to serve to 200 people. Image the challenge of serving 200 breakfasts as hot at the same time to a bunch of bids running around who probably don't eat it. Dave thought that was a little wasteful so what he did was he put more money into games and a magician. Mayor Coleman added that he thought the party was very well received and everyone had a great time.
- Mike Hirsch has agreed to be Home Days Chair again next year. He and Jim Austin would effectively co-chair and asked if Cathy Murphy would continue doing the parade again. Mike will convene the committee in early January.
- Mayor Coleman advised the Charter requires that a Charter Review Committee be formed at least once every five years. The last time review was five years ago in 2000. In 2005 Mayor Coleman will create a committee of nine qualified electors that don't hold other municipal office or appointment. He explained they review the Charter and take suggestions from Council Members, residents and other boards and committees on things to consider for the next November election. Mayor Coleman asked Council Members for suggestions on anyone they would like to serve on the committee. Typically the committee meets for 3 or 4 months for consideration of charter changes for the next November election.
- Mayor Coleman invited Council to the Holiday Lunch that he will be giving on December 16th at 11:30 p.m. This is his gift to the workers of the community and Council.

ITEMS TO BE ADDED TO THE AGENDA:

1. Third Reading Proposed Resolution 75-2004 authorizing a contract with the Cuyahoga County General Health District for the Public Health Services to be rendered during the Year 2005, to direct the Cuyahoga County Auditor to credit the consideration payable under said contract to the District Health Fund of Cuyahoga County, and to deduct equivalent sums from tax settlements due the City of Highland Heights and declaring an emergency.

A motion was made by Mr. Mills to add the above item to the agenda; seconded by Mr. Nawarskas. Ayes all; motion carried.

2. Reappointment of Jean A. Buchak as Clerk of Council.

A motion was made by Mr. Hargate to add the above item to the agenda; seconded by Mr. Mills. Ayes all; motion carried.

3. Reappointment of James Mathay to a six year term on the Civil Service Commission, expiring December 31, 2010 and appointment of Bill Urban to a four year term on the Planning and Zoning Commission, expiring December 31, 2008,

Mr. Nawarskas noted that Mark Silbiger served for six years on the P&Z Commission and in his opinion had done an excellent job over the years. Mrs. Murphy echoed those sentiments. Mr. Fatica spoke highly of Bill Urban and suggested he will be an excellent appointment to the P&Z Commission.

A motion was made by Mr. Fatica to add the above item to the agenda; seconded by Mr. Mills. Ayes all; motion carried.

MEETING OPENED TO THE PUBLIC:

Mr. Eric Bergsman, 6624 Peeper Hollow Lane, Mayfield Heights, President of Hillcrest 100, Inc., announced the formation of this new non profit organization. He distributed brochures. Council was advised that the organization is run by private citizens who are not compensated. They are recognized by the IRS as a 501C3 charity and are incorporated in the State of Ohio. They serve the six SPAN communities of Gates Mills, Highland Heights Lyndhurst, Mayfield Heights, Mayfield Village and Richmond Heights. They exist for one purpose which is to come to the aid of the first responders in the event of an extreme financial crisis or emergency. They are the 118th group in the United States. They do not overlap with the Fraternal Order of Police or Blue Coats and have been endorsed by both organizations. The first responders do not have to ask permission from their supervisors to approach the Hillcrest 100 and the process is 100% confidential. There is at least one trustee on the board from each of the communities that they serve and Tim Paluf is a trustee for Highland Heights.

Mr. Bergsman thanked Mr. Paluf for his assistance in drafting and editing the legal documents to form the Hillcrest 100. He advised they are beginning their fund raising and are hopeful to get the financial support of individuals as well as the corporate community. They would appreciate the support of Council.

NEW BUSINESS:

ADOPTION OF RESOLUTION 89-2004: Council listened to a reading in title only of Proposed Resolution 89-2004 which description is: "A Resolution of Commendation to the St. Paschal Baylon Eighth Grade Girls Soccer Team consisting of Jamie Austin, Emily Delis, Gabby Fuote, Allison Giomuso, Paige Hay, Kalie Iliano, Christina Gross, Christina LoPresti, Tamara Meeks, Sarah Paul, Jessica Vorobel, Clare Wilson, Heather Wirtanen, Jillian Tighe, Kristen Profeta, Stephanie Tighe, and Amy Valenti, as well as coaches Chip Tighe, Ben Wilson, Mike Profeta and Dave Stahler on their first place finish in the 2004 Citywide C.Y.O. Soccer Tournament." Mr. Mills moved to adopt; seconded by Mr. Fatica. Ayes all; motion carried.

ADOPTION OF RESOLUTION 75-2004: Council listened to the Third Reading in title only of Proposed Resolution 75-2004 which description is: "A Resolution authorizing a contract with the Cuyahoga County General Health District for the Public Health Services to be rendered during the Year 2005, to direct the Cuyahoga County Auditor to credit the consideration payable under said contract to the District Health Fund of Cuyahoga County, and to deduct equivalent sums from tax settlements due the City of Highland Heights and declaring an emergency." Mr. Nawarskas moved to adopt; seconded by Mr. Mills. Ayes all; motion carried.

MAYOR'S APPOINTMENTS – BOARDS, COMMISSIONS, COMMITTEES.

<u>Architectural Review Board:</u>	<u>John Wilson.</u> Reappointment	2 year term	expiring 12/31/2006
<u>Plan Examiner</u>	<u>Alvah Seibert.</u>	1 year term	expiring 12/31/2005
<u>Board of Building & Zoning Appeals:</u>	<u>Carol Thomas.</u>	5 year term	expiring 12/31/2009
<u>Commission On Aging:</u>	<u>Clarence Brichacek.</u>	2 year term	expiring 12/31/2006
	<u>Raymond Hrvatin.</u>	2 year term	expiring 12/31/2006
	<u>Ruth Grubb.</u>	2 year term	expiring 12/31/2006
<u>CRA Housing Council:</u>	<u>Patricia Divoky.</u>	3 year term	expiring 12/31/2007
<u>Economic Development Committee:</u>	<u>Lou Amoroso.</u>	3 year term	expiring 12/31/2007
<u>Master Plan & Capital Improvement Plan Committee:</u>	<u>James Dauterman.</u>	2 year term	expiring 12/31/2006
<u>Mayfield Area Recreation Council:</u>	<u>Kathleen Sbrocco.</u>	1 year term	expiring 12/31/2005
Alternate	<u>Andy McCartney.</u>	1 year term	expiring 12/31/2005
<u>Park and Recreation Commission:</u>	<u>David Swope.</u>	2 year term	expiring 12/31/2006
	<u>James Bezdek.</u>	2 year term	expiring 12/31/2006
	<u>Tony Valentino.</u>	2 year term	expiring 12/31/2006
<u>Tax Review Board:</u>	<u>Charles Kerr.</u>	1 year term	expiring 12/31/2005
	<u>Lewis Carsey.</u>	1 year term	expiring 12/31/2005

A motion was made by Mr. Mills to approve the above appointments; seconded by Mr. Nawarskas. Ayes all; motion carried.

MAYOR'S APPOINTMENTS:

<u>Civil Service Commission</u>	<u>James Mathay.</u>	6 year term	expiring 12/31/2010
<u>Planning & Zoning Commission.</u>	<u>William J. Urban.</u>	4 year term	expiring 12/31/2008

A motion was made by Mr. Mills to approve the above appointments; seconded by Mr. Fatica. Roll call on the motion: Ayes all; motion carried.

APPOINTMENT OF CLERK OF COUNCIL: A motion was made by Mr. Mills to reappoint Jean A. Buchak as Clerk of Council for the Year 2005; seconded by Mr. Nawarskas. Ayes all; motion carried.

FIRST READING PROPOSED RESOLUTION 90-2004: Council listened to the First Reading in title only of Proposed Resolution 90-2004 which description is: "A Resolution authorizing James G. Zupka, Inc. to assist the City in preparation of its financial statement in accordance with GAAP accounting principles for the Calendar Year 2004 and declaring an emergency."

FIRST READING PROPOSED ORDINANCE 43-2004: Council listened to the First Reading in title only of Proposed Ordinance 43-2004 which description is: "An Ordinance enacting Section 351.22 of the Highland Heights Codified Ordinances, titled Parking Facilities for Residences to regulate the parking of Recreational Vehicles on Residential Property.

ENACTMENT OF ORDINANCE 40-2004: Council listened to the Second Reading in title only of Proposed Ordinance 40-2004 which description is: "An Ordinance amending Ordinance No. 26-2001 designating certain financial institutions as depositories for active and interim funds of the City of Highland Heights for the five year period commencing August 24, 2001, authorizing depository agreements with said institutions and declaring an emergency." Mr. Nawarskas moved to suspend the third reading; seconded by Mr. Mills. Ayes all; motion carried. Mr. Nawarskas moved to enact; seconded by Mr. Mills. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 41-2004: Council listened to the Second Reading in title only of Proposed Ordinance 41-2004 which description is: "An Ordinance amending Section 1123.17(a) of Chapter 1123 of the Codified Ordinances of the City of Highland Heights pertaining to yards for accessory buildings and solid walls, repealing all legislation inconsistent herewith and declaring an emergency." Mr. Mills moved to suspend the third reading; seconded by Mr. Nawarskas. Ayes all; motion carried. Mr. Mills moved to enact; seconded by Mr. Hargate. Ayes all; motion carried.

ADOPTION OF RESOLUTION 81-2004: Council listened to the Third Reading in title only of Proposed Resolution 81-2004 which description is: "A Resolution authorizing the Mayor to execute a contract with Statewide Ford Lincoln Mercury, Inc., for the purchase of One (1) 2005 Ford Crown Victoria Police Cruiser, in an amount not to exceed Thirteen Thousand Nine Hundred Dollars including the trade-in allowance for one (1) 2003 Ford Crown Victoria Police Cruiser, pursuant to the Ohio Cooperative Purchasing Act, and declaring an emergency." Mr. Mills moved to adopt; seconded by Miss D'Amico. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 29-2004: Council listened to the Third Reading in title only of Proposed Ordinance 29-2004 which description is: "An Ordinance amending Section 1123.18 (c) and enacting Section 1123.18 (d) of Chapter 1123 of the Codified Ordinances of the City of Highland Heights pertaining to ground features projection into yards, repealing all legislation inconsistent herewith and declaring an emergency." Mr. Hargate moved to amend consistent with a document dated 11/11/04; seconded by Mr. Mills. Ayes all; motion carried. Mr. Nawarskas moved to enact as amended; seconded by Mr. Mills. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 36-2004: Council listened to the Third Reading in title only of Proposed Ordinance 36-2004 which description is: "An Ordinance amending Ordinance 8-2004 so as to change the appropriations for current expenses and other expenditures of the City of Highland Heights, Ohio, for the period commencing January 1, 2004 and ending December 31, 2004, repealing all ordinances inconsistent herewith and declaring an emergency. Mr. Nawarskas moved to enact; seconded by Mr. Mills. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 37-2004: Council listened to the Third Reading in title only of Proposed Ordinance 37-2004 which description is: "An Ordinance amending Sections 105.02, 105.03, 105.04 and 105.05 of the Codified Ordinances of the City of Highland Heights, Ohio, by adjusting the Ward boundaries of the four Wards within the municipality and declaring an emergency." Mr. Mills moved to enact; seconded by Mr. Nawarskas. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 38-2004: Council listened to the Third Reading in title only of Proposed Ordinance 38-2004 which description is: "An Ordinance enacting new Chapter 1339 of the Codified Ordinances of the City of Highland Heights, Ohio, pertaining to storm water management and repealing in its entirety existing Chapter 1339 of the Codified Ordinances and declaring an emergency." Mr. Nawarskas moved to amend consistent with a document dated 12/10/04; seconded by Mr. Mills. Ayes all; motion carried. Miss D'Amico moved to enact as amended; seconded by Mr. Nawarskas. Ayes all; motion carried.

REMOVE FROM AGENDA -- ORDINANCE 39-2004: A motion was made by Miss D'Amico to remove from the agenda Proposed Ordinance 39-2004 which description is: "An Ordinance enacting new Chapter 1335 of the Codified Ordinances of the City of Highland Heights, Ohio, pertaining to erosion and sediment control and repealing existing Chapter 1335 of the Codified Ordinances in its entirety and declaring an emergency" and to refer this legislation to the Legislative & Finance Committee for further review; seconded by Mrs. Murphy. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 42-2004: Council listened to the Third Reading in title only of Proposed Ordinance 42-2004 which description is: "An Ordinance appropriating funds for current expenses and other expenditures of the City of Highland Heights, Ohio for the period commencing January 1, 2005 and ending March 31, 2005 and declaring an emergency." Mr. Nawarskas moved to enact; seconded by Mr. Mills. Ayes all; motion carried.

ADJOURNMENT: A motion was made by Mr. Mills and seconded by Mr. Fatica to adjourn the meeting. Said meeting adjourned at 9:30 p.m.

Clerk of Council

President of Council