

---

**CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: NOVEMBER 28, 2006**

---

President of Council Murphy presiding.

PRESENT: Mayor Coleman, Councilmen Austin, Dolciato, Hargate, Legan, Mills, Murphy, Pilla; Clerk of Council Buchak; Fire Chief Bencin; Police Chief Cook; Service Director Evans; City Engineer Blackley; Finance Director Ianiro; Law Director Paluf.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held November 14, 2006 was dispensed with. Mr. Pilla moved to accept the Minutes as written; seconded by Mr. Legan. Ayes all; motion carried.

The reading of the Minutes of a Special Meeting held November 21, 2006 was dispensed with. Mr. Mills moved to accept the Minutes as written; seconded by Mr. Pilla. Ayes all; motion carried.

**DEPARTMENT HEAD REPORTS:**

Fire Chief's Report: No report.

Police Chief's Report: No report.

Service Director's Report: Service Director Evans reported as follows:

- The engineer for the Highland Road Pedestrian Facility has completed Phase I Design Drawings and has submitted them to the Ohio Department of Transportation (ODOT) for review. The NOACA Transportation Advisory Committee has approved the design and application.
- The leaf collection program is running smoothly. Today they came pretty close to substantial completion although they will continue to circle the city for the next couple weeks as weather permits to try to pickup the straggling piles.
- A lot of residents are putting brush out on tree lawns. That is not a part of their program and they have been trying to discourage that. Prior to the snow coming on Friday night, they will try to make a sweep through the city and pick up some straggling brush piles too.
- The rubbish and recycling specifications are complete and will be advertised beginning this Thursday, November 30th. Bid opening date is scheduled for December 21st.

In response to Mr. Mills' inquiry as to whether or not there is an official closing date for the leaf collection, Mr. Evans advised they have said mid-December but there have been years when they have been out in January depending on the weather to pick up straggling piles.

Building Commissioner's Report: No report.

City Engineer's Report: City Engineer Blackley advised he has available for review a copy of the drawings that were submitted by CT Consultants for the Highland Road Pedestrian Pathway.

Mr. Blackley reported that while Service Director Evans was at NOACA getting the good news, he was at the Regional Sewer District on November 17th. They had a table top exercise to look at the possibility of how the Regional Sewer District would react in the event of a terrorist attack. The exercise was really for the staff of the Regional Sewer District to see how they react. Then it was observed by engineers and emergency personnel. This will be an on-going project.

Finance Director's Report: No report.

### **COMMITTEE REPORTS:**

Legislative & Finance Committee: Mr. Legan reported a meeting was held this evening to discuss Item No. 2 on the agenda, the ordinance appropriating funds for current expenses for the period January 1, 2007 through March 31, 2007. This is essentially a temporary budget which allows the city to pay bills. The Finance Director takes a quarter of this year's projected budget and applies it to the first quarter of next year. He will then fix it as part of the budgeting process and make it more accurate.

L&F also discussed police cars with the Police Chief. The Committee appropriated \$77,000 for police cars.

Drainage Committee: Mr. Mills reported in a meeting held this evening they touched on several issues.

- The Pusateri Property, 5508 Renee Drive. He will call the resident and advise him of what the plans might be to help them.
- The Berardinelli residence, 5708 Highland Road. Engineer Blackley has contacted them.
- Mr. Evans was contacted by Jim & Cindy Bezdek from 1043 Ford Road. The City Engineer and Service Director will assist them with some guidance on fixing their situation.
- The Highland Road Sanitary sewer. The Sanitary Engineer is monitoring and reviewing it, working with the Service Director.
- They discussed a storm water maintenance fund looking to possibly put a program together with the Sanitary Engineer to take over the maintenance of storm water for the city. They would like Council to discuss this in a Committee of the Whole in January.
- The next Drainage Committee Meeting was scheduled for January 16, 2007 to discuss other issues on Roy Road.

Mayfield Area Recreation Council (MARC): No report.

Planning and Zoning Commission: Mr. Pilla reported the following action occurred in a meeting held November 27th.

- **Riaz Ahmad, 363 Leverett Lane. Motion to Grant Variance to Driveway Turnaround Requirements.** The variance was approved. The applicant currently has a two-car garage and has five cars in the driveway with his children being older now. The Commission granted the variance to extend his driveway but no larger than for a three-car garage.
- **DiStefano Deli/Bakery, 5600 Highland Road. Motion to Grant Variance to Rear Yard Setback Requirements; Site Plan Approval of Building Expansion.** The Commission re-approved the existing plans to extend the current building and to remove the garage in the back. The new building will include a second story and a basement. Also there will be a pickup counter inside the rear of the building. Extensive discussion was held regarding the pickup counter to make sure it was not a drive-thru window.

They discussed the suggestions that Council made on improving the garage facing Bishop Road and threw those suggestions out. P&Z approved his plans and separated the garage issue from the plan's issue. There is still the April 1st deadline to tear the garage down if Mr. DiStefano doesn't come to P&Z with an agreeable approved change to that garage that will meet the P&Z's approval.

The third thing they talked about was parking in front of the garage on Bishop Road where the gravel is. It was made very clear that they will not stand for parking there. This morning Mr. DiStefano put two concrete blocks to block that area from parking and posted the requested "no parking" signs. That should eliminate the parking and the phone calls they have been receiving.

- **Highland Wellness Center, 840 Brainard Road. Final Sign and Landscape Approval.** The applicant was not present. This subject was continued to the next meeting.
- **S.R.S. Construction, Inc., Aberdeen Area "H". Home Builder Approval.** The applicant is seeking approval to build three lots in Aberdeen. There was much discussion about it because there were problems with the last house he built in Highland Heights. Approval was not given. The Commission is checking his references.

Council members questioned the approval of the pickup counter, stressing the fact that a drive-thru window is not permitted. Mr. Pilla explained two parking spaces are provided for pickup. An individual would park, get out of the car and enter the building to pick up their order.

Council President Murphy advised she attended the P&Z meeting last night because it is in her ward. She commended Mr. Pilla for doing an excellent job of representing the concerns that were brought up in the Council Meeting.

Safety & Service Committee: Mr. Hargate reported a meeting was held November 21st. They discussed several issues with the Service Director. They discussed and recommended

purchase of a hopper spreader from Carnegie Body Co. for \$9999.00. Council added that to last week's special meeting where the expenditure was authorized. They also discussed the rubbish specifications with the Service Director which were then discussed at the Committee of the Whole Meeting last week. The committee discussed the purchase of police cars. They recommended proceeding with that expenditure and requested appropriate legislation from the Law Director to proceed with that as soon as convenient.

Chief Cook advised he will try to have the legislation and the figures for the purchase of the cars for the December 12th meeting.

Park and Recreation Commission: Mr. Austin reported a meeting was held December 16th. Councilman Dolciato was there to discuss hand ball courts, the possibility of the city looking at having a summer program and where hand ball courts would fit into the park. Mr. Dolciato brought in Tim Corrigan and Mario Dolciato, people that help teach hand ball at John Carroll. There are a lot of questions regarding location, cost of the courts, and other multi uses for these courts. Mr. Dolciato will come back in January for further discussion. Park & Recreation is going over their current five year plan, crossing off new amenities in the park and starting to make another five year plan. They want to see what improvements can be done to improve the parking situation next year. The Children's Christmas Party with Santa will be held December 9th.

In response to Mr. Mills' inquiry as to whether it would be possible to put a couple basketball hoops back up in the park, Mr. Austin advised right now there are no plans of that. They are working on the parking, lighting on the tennis courts, and fences for the baseball diamonds.

Commission on Aging: Mrs. Murphy reported the Tri-City Garage Sale was held Saturday, November 4th. It was very successful and is a fund raiser that benefits the organization. The Flu Shot Program was a success. She received a few phone calls of concern that they didn't get the word out to some of the seniors. That is something they will have to look at correcting next year. The Commission on Aging Holiday Party will be held Tuesday, December 12th at 12:30 p.m. in the Community Center. All Council and administration are encouraged to stop by.

Law Director's Report: No report.

In response to Mr. Mills' inquiry regarding erection of the Maypine Farms gate, Law Director Paluf advised the developer has been out of town.

**MAYOR'S REPORT:** Mayor Coleman reported:

- The Tri-City Consortium on Aging Council of Government met today to talk about some administrative items and also to talk about the 2007 budget. They reported there would be no increase in revenue that the Tri-City will receive from Title 3 Funding their major source of funding but there is no decrease either. Last year there was a decrease in funding. They have asked for a 4% increase from the city which would be around a \$2700 to \$3000 increase in the city's contribution based on the percentage of total population to the other two communities. He estimated the cost to be \$77,500 vs. \$74,600 paid last year. Mayor Coleman recommended approval of the Tri-City budget as part of the budgeting process.

- At the December 12th meeting which is the last scheduled meeting of the year, there are several appointments that need to be made. A list of his appointments will be in the Council packets.
- Council was asked to add to tonight's agenda, confirmation of the Mayor's appointment of Larry Stouffer as Building Commissioner.

**ITEM TO BE ADDED TO THE AGENDA:**

Motion confirming the Mayor's appointment of a Building Commissioner

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

**MEETING OPENED TO THE PUBLIC:** No one spoke.

**NEW BUSINESS:**

**MAYOR'S APPOINTMENT. BUILDING COMMISSIONER. LAWRENCE B. STOFFER.** A motion was made by Mr. Pilla to confirm the Mayor's appointment of Lawrence B. Stouffer as Building Commissioner; seconded by Mr. Legan. Ayes all; motion carried.

**FIRST READING PROPOSED RESOLUTION 62-2006:** Council listened to the First Reading in title only of Proposed Resolution 62-2006 which description is: "A Resolution requesting the Cuyahoga County Auditor to advance taxes from the proceeds of tax levies and declaring an emergency.

**FIRST READING PROPOSED ORDINANCE 26-2006:** Council listened to the First Reading in title only of Proposed Ordinance 26-2006 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, 2007 and ending March 31, 2007, and declaring an emergency.

**SECOND READING PROPOSED ORDINANCE 25-2006:** Council listened to the Second Reading in title only of Proposed Ordinance 25-2006 which description is: "An Ordinance authorizing transfers and declaring an emergency (Park and Recreation and Bond Retirement Funds)."

**ADOPTION OF RESOLUTION 57-2006:** Council listened to the Third Reading in title only of Proposed Resolution 57-2006 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 2007, 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. Hargate moved to adopt; seconded by Mr. Austin. Ayes all; motion carried.

OTHER MATTERS:

Inasmuch as no items were scheduled, Council President Murphy cancelled the Committee of the Whole Meeting for December 5th and rescheduled it for 7:00 p.m. on December 12th.

Murphy announced Council also has some renewal appointments to be made, one year terms that expired. That would be Council appointments to Planning & Zoning, Park & Recreation and the Commission on Aging. These appointments will be on the agenda for the Regular Meeting December 12th. Mrs. Murphy stated Mr. Pilla and Mr. Austin have done exemplary jobs and council will renew those terms. MARC is a two year term; however, Mr. Mills has offered his one year remaining on that term to Mr. Dolciato who came to Council by appointment earlier this year. Mr. Dolciato has stated he is interested. That appointment will also be on the agenda.

**ADJOURNMENT:** A motion was made by Mr. Mills and seconded by Mr. Pilla to adjourn the meeting. Said meeting adjourned at 8:35 p.m.

---

Clerk of Council

---

President of Council