
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: DECEMBER 12, 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 28, 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: Police Chief Cook reported for the Month of November the Police Department responded to 1060 calls for service, including 14 motor vehicle accidents with 6 involving personal injuries, and 55 residential alarms. Also in their jail facility they held 39 prisoners for a total of 1500 hours.

Chief Cook reported regarding the purchase of vehicles that he is negotiating the trade-in prices with Statewide Ford. He will ask that legislation be prepared in January authorizing the purchase and that the money be encumbered this evening in the appropriation ordinance.

Mr. Austin reported he received a resident complaint on an excessive amount of trucks on Brainard Road. Chief Cook suggested the person complaining be referred to the Police Department and they will be happy to take care of it. Mr. Mills asked Chief Cook to look at having a cross walk light installed on Miner Road at Wilson Mills Road.

Service Director's Report: Service Director Evans reported that the Highland Road Pedestrian Path Project went before NOACA's Governing Board last Friday; the project has been officially adopted and placed on the transportation approval plan.

Mr. Evans recommended approval this evening of Agenda Item No. 5, a change order in the amount of \$4000 to close out the 2006 Road Repair Project. This change order included two additional catch basins that were repaired.

Mr. Evans advised the lights on Brainard Road have been installed.

Mr. Pilla advised of a complaint from a resident on Davidson Drive that not enough salt is being placed on the road around the curve, that the intersection of Travis & Miner was slippery and that the plow drove up on the tree lawn next to 711 Davidson.

Building Commissioner's Report: No report.

City Engineer's Report: City Engineer Blackley reported the City of Highland Heights scored No. 4 in the ranking in the DOPWIC District 1 Public Works Integrating Committee ranking for Issue 1 Projects this year for the Highland & Bishop Intersection Improvement Project. The total project cost is \$708,000; the city will receive a \$531,000 low interest loan for 20 years; and the city cost will be \$177,000. Once he receives confirmation he will ask Council for authorization to prepare plans and go out for bid. He suggested this project may be out to bid in March and have it awarded but they cannot pay a contractor until the money is available in July. Mr. Blackley and Mr. Evans will discuss with CT Consultants the coordination of this project with the Highland Road Pedestrian Pathway.

On the agenda this evening is a resolution authorizing the compensation for the City Engineer for 2007. Mr. Blackley asked for council consideration.

Mayor Coleman requested Council consider Agenda Item No. 6 this evening, compensation for the City Engineer, because he thought the engineer's proposal was reasonable and because there are various components of his compensation that if they get into a retroactive situation are complicated to figure out. Mayor Coleman advised he had asked Mr. Blackley to provide a memo to explain the components of his pay which council has received.

Finance Director's Report: Finance Director Ianiro advised a few items on the agenda relate to the Finance Department: Item No. 7 is on first reading; hopefully that can be referred to L&F. Items 8, 10, and 11 need to be passed this evening under suspension of the rules because this is the last meeting for the year. Mr. Ianiro recommended amending Item No. 8, based on Chief Cook's recommendation, to incorporate \$77,000 for the police cars.

COMMITTEE REPORTS:

Legislative & Finance Committee: No report.

Drainage Committee: No report. Mr. Mills scheduled a meeting for January 9, 2007 at 7:00 p.m. and then changed the date to January 23, 2007 after Council scheduled a Committee of the Whole on the 9th.

Mayfield Area Recreation Council (MARC): Mr. Mills reported he and Mr. Dolciato attended a meeting this past Thursday, December 7, 2007. MARC is in good financial position. Mr. Mills introduced Mr. Dolciato as taking his place starting the first of the year.

Planning and Zoning Commission: Mr. Pilla reported the action that occurred in a meeting held December 11, 2007.

- **CDT Custom Homes, S/L 23, 329 East Edinburgh Drive, Aberdeen Area "H"**
Final Home Approval was granted.
- **Highland Wellness Center, 840 Brainard Road**
Final Sign and Landscape Approval, was granted.
- **Abundant Life International Church, 5942 Wilson Mills Road**
Final Sign and Landscape Approval. Approval of the sign was postponed.

- **S.R.S. Construction, Inc., Aberdeen Area "H"**
Home Builder Approval. Approval was postponed to January 8th.
- **DiStefano Deli/Bakery, 5600 Highland Road**
Final Plan Approval of Building Expansion. Council discussed this in a Committee of the Whole Meeting held earlier this evening.

Safety & Service Committee: No report.

Students at Meeting: Mr. Hargate introduced four students from Mayfield High School who were present this evening for a government class: Michelle Masnovi, Mackenzie Schumer, Joe Fernandez, and Ed Hargate.

Park and Recreation Commission: No report.

Commission on Aging: No report.

Law Director's Report: Law Director Paluf reported with regards to Item No. 4, authorizing two leases with Bass Energy for the installation of gas wells, it was decided in the Committee of the Whole this evening that this legislation would receive first reading. Mr. Paluf advised he would provide a memo during the holiday season for everybody as far as procedure, etc. Also, Law Director Paluf suggested Council discuss this legislation in the first Committee of the Whole in January as well as the AT&T proposals.

MAYOR'S REPORT: Mayor Coleman announced that next Monday, December 18th, Larry Stouffer will start as Building Commissioner. He then requested that Agenda Item No. 9 establishing compensation for Mr. Stouffer be passed this evening.

Mayor Coleman also asked Council support of his appointments and advised that they are all reappointments with the exception of two. The new appointments are Kathy Gould to the Park & Recreation Commission and Tom Rudibaugh to the Tax Incentive Review Council and the CRA Investment Council.

ITEMS TO BE ADDED TO THE AGENDA: No items were added.

MEETING OPENED TO THE PUBLIC:

Mr. Eric C. Bergsman, President, The Hillcrest 100, Inc., 1280 SOM Center Road, #302, Mayfield Heights, OH 44124, phone 440-829-9714, addressed Council. He advised the Hillcrest 100, Inc. is a non-profit organization and their purpose is to provide financial aid to First Responders in the event they encounter unusual or extraordinary financial difficulties. They come to the aid of first responders in Gates Mills, Highland Heights, Lyndhurst, Mayfield Heights, Mayfield Village and Richmond Heights in the event they encounter extreme financial crisis or emergencies. With the recent and untimely passing of Fire Captain Jenik, the trustees have unanimously decided to send a financial gift to Ed's wife, Kathy. While they greatly regret the passing of Captain Jenik, the Hillcrest 100 is here to support our First responders who protect our lives and properties. Mr. Bergsman urged Highland Heights' Council and community to support the efforts of Hillcrest 100 because the greater their fund becomes, the more they

can do to support the first responders. Mr. Bergsman left some information about the Hillcrest 100.

NEW BUSINESS:

MAYOR'S APPOINTMENT - ADMINISTRATION:

Prosecutor	Reappointment	1 year term	expiring 12/31/2007
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MAYOR'S APPOINTMENTS - BOARDS AND COMMISSIONS:

Architectural Review Board:

<u>John Wilson.</u>	Reappointment	2 year term	expiring 12/31/2008
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Architectural Review Board Plan Examiner:

<u>Alvah Seibert.</u>	Reappointment	1 year term	expiring 12/31/2007
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Board of Building & Zoning Appeals:

<u>Charles Kerr.</u>	Reappointment	5 year term	expiring 12/31/2011
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Civil Service Commission:

<u>William Dagg.</u>	Reappointment	6 year term	expiring 12/31/2012
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Commission on Aging:

<u>Clarence Brichacek.</u>	Reappointment	2 year term	expiring 12/31/2008
<u>Raymond Hrvatin.</u>	Reappointment	2 year term	expiring 12/31/2008
<u>Gertrude Miller</u>	Reappointment	2 year term	expiring 12/31/2008

CRA Housing Council:

<u>Anthony Ianiro.</u>	Reappointment	3 year term	expiring 12/31/2009
<u>Tom Rudibaugh.</u>	Appointment	3 year term	expiring 12/31/2009

Landscape Architect:

<u>Doug Nemeckay.</u>	Reappointment	1 year term	expiring 12/31/2007
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Mayfield Area Recreation Council:

<u>Kathleen Sbrocco.</u>	Reappointment	1 year term	expiring 12/31/2007
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Alternate

<u>Andy McCartney.</u>	Reappointment	1 year term	expiring 12/31/2007
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Park & Recreation Commission:

<u>James Bezdek.</u>	Reappointment	2 year term	expiring 12/31/2008
<u>Tony Valentino.</u>	Reappointment	2 year term	expiring 12/31/2008
<u>Kathy Gould.</u>	Appointment	2 year term	expiring 12/31/2008

Planning & Zoning Commission:

<u>Al Kerr.</u>	Reappointment	4 year term	expiring 12/31/2010
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Tax Incentive Review Council:

<u>Anthony Ianiro.</u>	Reappointment	3 year term	expiring 12/31/2009
<u>Tom Rudibaugh.</u>	Appointment	3 year term	expiring 12/31/2009

Tax Review Board:

<u>Charles Kerr.</u>	Reappointment	1 year term	expiring 12/31/2007
<u>Lewis Carsey.</u>	Reappointment	1 year term	expiring 12/31/2007

Council agreed to confirm the above appointments with one motion. A motion was then made by Mr. Mills and seconded by Mr. Pilla to confirm the above appointments. Ayes all; motion carried.

COUNCIL APPOINTMENTS:

Planning & Zoning Commission: Councilman Pilla.

Park & Recreation Commission: Councilman Austin.

Commission on Aging: Councilman Murphy.

Mayfield Area Recreation Council (M.A.R.C.): Councilman Dolciato.

Council agreed to confirm the above appointments with one motion. It was moved by Mr. Pilla to confirm the reappointment of Councilman Pilla to the Planning & Zoning Commission; Councilman Austin to the Park & Recreation Commission; Councilwoman Murphy to the Commission on Aging and the appointment of Councilman Dolciato to a one year term on the Mayfield Area Recreation Council (MARC); seconded by Mr. Hargate. Ayes all; motion carried.

APPOINTMENT OF CLERK OF COUNCIL. It was moved by Mr. Hargate to confirm the reappointment of Jean A. Buchak as Clerk of Council for the Year 2007; seconded by Mr. Legan. Ayes all; motion carried.

FIRST READING PROPOSED RESOLUTION 63-2006: Council listened to the First Reading in title only of Proposed Resolution 63-2006 which description is: "A Resolution authorizing the Mayor to execute two leases with Bass Energy, Inc., for the installation of two gas wells in the Municipal Park and one gas well at the City Hall Complex, and declaring an emergency."

ADOPTION OF RESOLUTION 64-2006: Council listened to the First Reading in title only of Proposed Resolution 64-2006 which description is: "A Resolution authorizing a change order to the contract with A & J Cement Contractors, Inc. in an amount of Four Thousand Dollars (\$4,000.00), and declaring an emergency." Mr. Austin moved to suspend the Second and Third Readings; seconded by Mr. Hargate. Ayes all; motion carried. Mr. Austin moved to adopt; seconded by Mr. Hargate. Ayes all; motion carried.

ADOPTION OF RESOLUTION 65-2006: Council listened to the First Reading in title only of Proposed Resolution 65-2006 which description is: "A Resolution providing for the employment of an Engineer for the City of Highland Heights and establishing the compensation of the City Engineer for 2007, repealing all legislation inconsistent herewith and declaring an emergency." Mr. Austin moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Austin moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

FIRST READING PROPOSED ORDINANCE 27-2006: Council listened to the First Reading in title only of Proposed Ordinance 27-2006 which description is: "An Ordinance amending Section 111.2101(b) of Chapter 111 of the Codified Ordinances of the City of Highland Heights

pertaining to the disbursement of income tax receipts, repealing all legislation inconsistent herewith, and declaring an emergency." Council President Murphy referred Proposed Ordinance 27-2006 to the Legislative & Finance Committee for review.

ENACTMENT OF ORDINANCE 28-2006: Council listened to the First Reading in title only of Proposed Ordinance 28-2006 which description is: "An Ordinance amending Ordinance No. 8-2006 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, 2006 and ending December 31, 2006, repealing all Ordinances inconsistent herewith, and declaring an emergency." Mr. Legan moved to suspend the Second and Third Readings; seconded by Mr. Austin. Ayes all; motion carried. Finance Director Ianiro suggested this legislation be amended to accommodate the purchase of police cruisers. Mr. Hargate moved to amend to add \$77,000 to the 401 Capital Improvement Fund Account to accommodate purchase of police cruisers in 2007; seconded by Mr. Austin. Ayes all; motion to amend carried. Mr. Hargate moved to enact as amended; seconded by Mr. Legan. Ayes all; motion carried. Finance Director Ianiro then indicated that Ordinance 26-2006 is to be amended to include purchase of police vehicles and not Ordinance 28-2006. Mr. Hargate moved to reconsider Ordinance 28-2006; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Hargate moved to suspend the second and third readings; seconded by Mr. Austin. Ayes all; motion carried. Mr. Hargate moved to enact; seconded by Mr. Austin. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 29-2006: Council listened to the First Reading in title only of Proposed Ordinance 29-2006 which description is: "An Ordinance amending Ordinance No. 3-2006 establishing compensation for certain employees of the City of Highland Heights, Ohio, commencing January 1, 2006, repealing all Ordinances inconsistent herewith and declaring an emergency." Mr. Mills moved to suspend the Second and Third Readings; seconded by Mr. Hargate. Ayes all; motion carried. Mr. Mills moved to enact; seconded by Mr. Dolciato. Ayes all; motion carried.

ADOPTION OF RESOLUTION 62-2006: Council listened to the Second 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." Mr. Hargate moved to suspend the third reading; seconded by Mr. Austin. Ayes all; motion carried. Mr. Pilla moved to adopt; seconded by Mr. Dolciato. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 26-2006: Council listened to the Second 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. Mr. Hargate moved to suspend the Third reading; seconded by Mr. Austin. Ayes all; motion carried. Mr. Mills moved to amend Proposed Ordinance 26-2006 to add \$77,000 to the 401 Fund Account to accommodate purchase of police cars in 2007; seconded by Mr. Austin. Ayes all; motion carried. Mr. Pilla moved to enact as amended; seconded by Mr. Mills. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 25-2006: Council listened to the Third Reading in title only of Proposed Ordinance 25-2006 which description is: "An Ordinance authorizing transfers and declaring an emergency." Mr. Pilla moved to enact; seconded by Mr. Mills. Ayes all; motion carried.

NEXT COMMITTEE OF THE WHOLE: Council members decided to schedule the next Committee of the Whole Meeting for 7:00 p.m. on January 9, 2006. Items to be considered at that meeting: 1) Park Master Plan, 2) AT&T Light speed Project, 3) Bass Energy - Lease

Agreement; and 4) also bids received for Refuse Collection. Mr. Mills scheduled the next Drainage Committee Meeting for January 23, 2006.

ADJOURNMENT: A motion was made by Mr. Mills and seconded by Mr. Pilla to adjourn the meeting. Said meeting adjourned at 8:45 p.m.

Clerk of Council

President of Council