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**CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: OCTOBER 23, 2007**

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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; Assistant Service Director Hess; Building Commissioner Stouffer; City Engineer Blackley; Finance Director Ianiro; Law Director Paluf.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held October 9, 2007 was dispensed with. Mr. Pilla moved to accept the Minutes as written; seconded by Mr. Legan. Ayes all; motion carried.

MAYFIELD HIGH SCHOOL STUDENTS: The following students were welcomed: Julia Bizjack, Kabon Bodnovich, Hillary Conkey, Danny Corrigan, Brandon Danielsen, Kelsey Dougherty, Andrew Ede, Hannah Edelman, Caroline Feran, Frankie, Ferritto, Brent Fosberg, Erick Fredrickson, Chris Hughes, Elias Kikano, Crystal Lin, Michael Malone, Richa Patel, Bradley Potts, Laura Radivoyevitch, Reddy Pranau, Samatha Rickard, Vitalig Rotenberg, Ethan Rush, Emme Silverblatt, Carrie Vitale, Rob Wetzell.

LAKELAND COMMUNITY COLLEGE STUDENTS: The following students were welcomed. Orlando Gonzales and Angela Yesiolowski.

**DEPARTMENT HEAD REPORTS:**

Fire Chief's Report: Chief Bencin reported they were called out to the recent CSX train derailment. He and the Law Director met last week and have prepared a bill to send to the City of Painesville for reimbursement of hazardous materials. This being a major incident, Painesville is taking the bills from each community that responded and will bill CSX and then reimburse the cities. The bill is for approximately \$5500 for 64 man hours, the use of a pumper and the people brought in to stand by.

They were also called out for a fire in Beachwood last night for a rescue squad. They held back because every one else in the area was gone and they only had one rescue squad. The Fire Department did send one team member from the fire investigation unit who spent the whole day there. Also they sent two people all day today that are members of our structural collapse team and who were shoring up the building.

Mayor Coleman extended thanks to the firemen for having a squad at the St. Paschal's football field. He stated it helps the comfort fact to have a squad there.

Police Chief's Report: Police Chief Cook reported as follows:

- Item No. 1 on the agenda is a contract with Geauga County Jail. Geauga County Jail would be used as a backup to Bedford Heights who is their primary full service facility for prisoners with extended stays.
- Enhanced 911 Project. A meeting is requested with Council to discuss this project and to explain the GIS mapping and enhancement for the police and fire communication system. Money is appropriated in this year's budget.
- The roof contractor should be out before the end of the year.
- A contractor for the basement is coming out Tuesday to do some preliminary work.

Council President Murphy set the Police Department's Enhanced 911 Project on the agenda for the Committee of the Whole scheduled for November 13th.

Service Director's Report: Assistant Service Director Hess reported they are in the second week of leaf pickup and it is going well.

Mayor Coleman advised Al Hess is the City's representative to the Euclid Creek Committee and he does a great job with it.

Mr. Hess reported a week ago Saturday, Mayfield Schools had a Fall Festival on the soccer field at the high school. The Fire, Police and Service all had vehicles and a booth. It was called "touch a truck" where youngsters could climb up on a truck. All four communities in the district had vehicles up there. He heard positive things about it; this was very well received. In addition he set up a booth and table to hand out literature for Euclid Creek. About 40 people picked up literature.

Building Commissioner's Report: Building Commissioner Stouffer reported he received calls advising that over the last day or two there have been trucks at the former Catalano's building. He checked and found out they are just removing some fixtures and tables out of the meat department for use in another store but there is no change in the status of the property.

City Engineer's Report: City Engineer Blackley reported as follows:

- The Park Project is about 90% complete except for some punch list items. They will meet with the contractor next week and do a walk thru of the job.
- A&J has finished the 2007 Concrete Repair Program in the City. Authorization for a change order will be requested. This was discussed in the L&F Meeting this evening. The change order is for additional work added by the Service Department and to replace a concrete pavement blow-out on Franklin which was the result of a water main break there.
- A&J also has completed their supplementary contract in front of City Hall.
- He supported approval of Agenda Item No. 4 which is a resolution declaring Tri Mor Corporation as the lowest and best bidder and awarding them a contract for the Highland Bishop Intersection Improvement Project.

Mr. Austin thanked City Engineer Blackley and Service Director Evans for the engineering job on the park. He suggested that Council members drive through when they have an opportunity.

Finance Director's Report: Finance Director reported a memo went out over the weekend explaining several items on the agenda this evening:

- Item 2 is an extension of the contract with Medical Mutual for another 2 months through this year while they are shopping and renewing the contract to be effective January 1.
- Item 3 is the annual renewal for the payment of general liability, property and auto insurance to NORMA. That premium actually took a \$10,000 decrease from last year.
- Item 5 is formalizing the millage to be put on the tax duplicate for next year based on the tax budget passed in July. That number has not changed in several years.
- Item No. 7 is the annual payment to the Mayfield City School District based on the City's tax incentive programs. Attached to the memo is a copy of the work sheet used to develop the amount.
- Items 8 and 9 were talked about in the Committee of the Whole. These are Economic Development Grants with Philips and Diskcopy.
- Items 2, 3, 5 and 7 -- approval was requested under suspension of the rules this evening. The two Economic Development Grants can receive three readings.

In response to Mayor Coleman's inquiry as to when the Economic Development Grants would become effective, Mr. Ianiro advised Diskcopy's will be for this year and Philips will take effect next year.

### **COMMITTEE REPORTS:**

Legislative & Finance Committee: Mr. Legan reported a meeting was held this evening to discuss the Highland-Bishop Intersection Improvement Project. Bids received in August came in higher than anticipated so they needed additional funds. Mr. Legan congratulated Mayor Coleman for not only finding the source of the money but actually bringing it back to the city. The total project will cost \$824,628.75 and only \$122,726 will come out of our pocket. The remaining \$701,902.00 is going out as an interest free 20 year loan for the city. The project will begin in the spring. L&F unanimously recommended approval of the resolution awarding the contract to Tri Mor this evening.

Drainage Committee: Mr. Mills scheduled a meeting for the 20th of November at 7:00 p.m. Mr. Blackley and Mr. Paluf are still working on easements for the Miner Road drainage project. Mr. Blackley advised the easements have been sent to the home owners for signature.

Planning and Zoning Commission: Mr. Pilla reported a meeting was held October 22nd.

- **BP Products North America, Inc., 6267 Wilson Mills Road.** Request for variance to the sign requirements. A correction was made to the variance request. Approval was given.
- **Lester & Rae Miller, 621 Hanford Drive.** Review Request for Variance to Fence Requirements; Schedule Public Hearing. Applicant did not appear.

- **Crostatas, 558 Bishop Road.** The Commission reviewed the request for variances and set this item for a public hearing on November 12th.
- **Cuyahoga County Airport Hangar Facility, Curtiss Wright Parkway.** Proposed Hangar Facility. Applicant was not present.

Mayfield Area Recreation Council (MARC): Mr. Dolciato reported MARC met in the second week of October. The indoor flag football started October 20th for the 4th and 5th graders. That is a seven week program at the Middle School. The indoor floor hockey also started October 20th for 6th, 7th and 8th grade at the Middle School. Twenty five kids participated in the Punt, Pass and Kick Program. Basketball will be held for the girls in November and December; and for the boys it will be January and February. The next meeting is scheduled for November 8th.

Safety & Service Committee: No report.

Park and Recreation Commission: Mr. Austin reported the Halloween Party held Saturday was a nice event and was well attended. He thanked Dave Ianiro and all the children who helped run the games that day. Mr. Austin also thanked Councilmen Legan and Mills for showing up and helping out. Again, he thanked Mr. Blackley and Mr. Evans for their work on the park project.

Mr. Pilla added that his four year old son loved the Halloween party and had a great time.

Commission on Aging: No report.

**Law Director's Report:** Law Director Paluf reported, as discussed in the Committee of the Whole, he recommended suspension of the third reading and approval this evening of Agenda Item No. 10, authorizing the purchase of the church property in front of city hall. He will work on the list of fixtures with the opposing attorney so it satisfies the Mayor and Department Heads. Also he recommended approval of Agenda Item No. 11 which pertains to Portable Home Storage Units. It is in the same form as discussed over the past several months.

**MAYOR'S REPORT:** Mayor Coleman reported that City Engineer Blackley, Service Director Evans and he met with the DOPWIC Committee to try to secure additional funding for the Highland Bishop Intersection Project. They were successful. They asked for an additional \$200,000.00 interest free loan on top of the money received previously. The City of Brookpark was there requesting funds and was ahead of Highland Heights on the agenda. Had Brookpark received all they asked for Highland Heights would not have gotten anything. Mayor Coleman stated Highland Heights clearly had two friends on the committee: Mayor Mulcahy from the City of Orange and Bob Klaiber, County Engineer. Before the committee voted for the City of Brookpark they made sure that the rest of the committee knew that if they awarded to Brookpark that Highland Heights would not get anything. Mayor Coleman reported they compromised and asked for \$30,000 less than what they originally asked for. Highland Heights received a \$170,000 interest free loan. It was a big win all around and the City of Brookpark got substantially what they wanted.

Mayor Coleman also reported, several months ago he was contacted by Starla Powers from Philips who was the government liaison for Philips in the United States, this being their biggest location, asking him to help her with a program that they have called, Reduce, Reuse, and Recycle. Philips has some extremely creative ways that they try to make their facility environmentally safe, sound and clean. They have some real innovative projects. Starla wanted to share those ideas with neighboring businesses. She will have a production role in the company but she is maintaining this project. Mayor Coleman heard that the City's largest employer, Progressive, was interested in having a similar program so he put the two together. They will collaborate and reach out to smaller businesses when they get a more substantial project going. There is more to come on that.

Mayor Coleman reported he will be out of town at a tax conference on November 13th through the 16th and will not be present for the Council Meeting November 13th. He recommended approval of items Nos. 8 and 9, the Economic Development Grants, and Item No. 10, purchase of property.

#### **ITEMS TO BE ADDED TO THE AGENDA:**

Motion appointing Susan Olson as Acting Clerk of Council from Monday, November 12, 2007 through Saturday, November 17, 2007.

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

#### **MEETING OPENED TO THE PUBLIC:**

No items were added.

#### **NEW BUSINESS:**

**APPOINTMENT OF ACTING CLERK OF COUNCIL:** A motion was made by Mr. Hargate to appoint Susan Olson as Acting Clerk of Council from Monday, November 12, 2007 through Saturday, November 17, 2007; seconded by Mr. Pilla. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 44-2007:** Council listened to the First Reading in title only of Proposed Resolution 44-2007 which description is: "A Resolution authorizing the Mayor to enter into a contract with the Geauga County Board of Commissioners for the confinement of prisoners at the Geauga County Safety Center (Jail), and declaring an emergency." Chief Cook recommended approval this evening. Mr. Mills moved to suspend the Second and Third Readings; seconded by Mr. Hargate. Ayes all; motion carried. Mr. Hargate moved to adopt; seconded by Mr. Austin. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 45-2007:** Council listened to the First Reading in title only of Proposed Resolution 45-2007 which description is: "A Resolution authorizing the Mayor to enter into an agreement with Medical Mutual of Ohio for health care insurance for the City's

employees and declaring an emergency." Finance Director Ianiro had requested approval this evening. Mr. Austin moved to suspend the Second and Third Readings; seconded by Mr. Dolciato. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Austin. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 46-2007:** Council listened to the First Reading in title only of Proposed Resolution 46-2007 which description is: "A Resolution authorizing payment in the amount of \$58,372.65 to the Northern Ohio Risk Management Agency Self-Insurance Pool, Inc. (N.O.R.M.A.)." Finance Director Ianiro had requested approval this evening. Mr. Pilla moved to suspend the Second and Third Readings; seconded by Mr. Mills. Ayes all; motion carried. Mr. Hargate moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 47-2007:** Council listened to the First Reading in title only of Proposed Resolution 47-2007 which description is: "A Resolution declaring Tri Mor Corporation as the lowest and best bidder for the Highland-Bishop Roads Intersection Improvement Project, authorizing the Mayor to enter into a contract with Tri Mor Corporation in an amount not to exceed the sum of Eight Hundred Twenty Four Thousand Six Hundred Twenty Eight Dollars and Seventy Five Cents (\$824,628.75), rejecting all other bids received, and declaring an emergency." Mr. Pilla moved to suspend the Second and Third Readings; seconded by Mr. Mills. Ayes all; motion carried. Mr. Mills moved to adopt; seconded by Mr. Hargate. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 48-2007:** Council listened to the First Reading in title only of Proposed Resolution 48-2007 which description is: "A Proposed Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies to be placed on the 2007 tax duplicate of the City of Highland Heights, Ohio and certifying the same to the County Auditor, and declaring an emergency." Mr. Austin moved to suspend the Second and Third Readings; seconded by Mr. Dolciato. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Austin. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 49-2007:** Council listened to the First Reading in title only of Proposed Resolution 49-2007 which description is: "A Proposed Resolution authorizing a contract with the Cuyahoga County General Health District for the Public Health Services to be rendered during the Year 2008, 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 suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Austin moved to adopt; seconded by Mr. Legan. Ayes all; motion carried.

**ENACTMENT OF ORDINANCE 17-2007:** Council listened to the First Reading in title only of Proposed Ordinance 17-2007 which description is: "An Ordinance approving a payment to the Mayfield City School District pursuant to the requirements of Ohio Revised Code Section 5709.82 and in connection with the City's Community Reinvestment Area and Urban Jobs and

Enterprise Zone Programs, and declaring an emergency." Finance Director Ianiro had requested approval this evening. Mr. Hargate moved to suspend the Second and Third Readings; seconded by Mr. Dolciato. Ayes all; motion carried. Mr. Legan moved to enact; seconded by Mr. Pilla. Ayes all; motion carried.

**FIRST READING PROPOSED ORDINANCE 18-2007:** Council listened to the First Reading in title only of Proposed Ordinance 18-2007 which description is: "An Ordinance authorizing the execution and delivery of an Economic Development Grant Agreement with Philips Medical Systems, and declaring an emergency."

**FIRST READING PROPOSED ORDINANCE 19-2007:** Council listened to the First Reading in title only of Proposed Ordinance 19-2007 which description is: "An Ordinance authorizing the execution and delivery of an Economic Development Grant Agreement with DiskCopy - LLC, and declaring an emergency"

**ADOPTION OF RESOLUTION 43-2007:** Council listened to the Second Reading Proposed in title only of Proposed Resolution 43-2007 which description is: "A Resolution authorizing the purchase of Permanent Parcel No. 821-24-004 from the Ohio District Lutheran Church for municipal center purposes, authorizing the Director of Law to prepare the necessary purchase agreement and to perform all other acts necessary to acquire good and sufficient title to said property, and declaring an emergency." Law Director Paluf recommended approval this evening. Mr. Pilla moved to suspend the Second and Third Readings; seconded by Mr. Mills. Ayes all; motion carried. Mr. Pilla moved to adopt; seconded by Mr. Mills. Ayes all; motion carried.

**ENACTMENT OF ORDINANCE 16-2007:** Council listened to the Third Reading in title only of Proposed Ordinance 16-2007 which description is: "An Ordinance repealing previous Chapter 1315 of the Codified Ordinances of the City of Highland Heights pertaining to garages and accessory buildings in its entirety, and enacting new Chapter 1315 pertaining to Portable Home Storage Units. Mr. Pilla moved to enact; seconded by Mr. Mills. Ayes all; motion carried.

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

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Clerk of Council

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President of Council