
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: MARCH 11, 2008**

President of Council Mills presiding.

PRESENT: Mayor Coleman, Councilmen Anderson, Hargate, Legan, Lombardo, 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 February 26, 2008 was dispensed with. Mr. Pilla moved to accept the Minutes as written; seconded by Mr. Legan. Ayes all; motion carried.

Council President Mills acknowledged the presence of Brian Roddy, Jr. and his family. A resolution honoring Brian Roddy, Jr. for his wrestling achievements was then read.

Council President Mills announced that Fire Chief Bencin is retiring this Friday, March 14th. On behalf of Council he thanked Chief Bencin for his many years of dedicated service.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Chief Bencin reported the Fire Department Annual Report has been completed and distributed. He then thanked everyone for their support over the years.

Police Chief's Report: Chief Cook reported on the police activity for the month of February: The Police Department responded to 780 calls for service. They handled 22 motor vehicle accidents. Several of the accidents involved personal injuries, one quite serious. Twenty-two prisoners were held for approximately 300 hours.

Chief Cook also reported he has been working with the Law Director on the Public Records Policy for the City and his department.

Chief Cook wished Chief Bencin well in his retirement.

In response to Council President Mills' request for information on Agenda Item No. 3, which is payment for the cost of conducting a promotional examination Chief Cook explained Sgt. Zagar has retired from the Police Department so there is an opening for a promotion in the Police Department. He explained the City of Highland Heights has traditionally given solely a written test for the examination and they do have the choice of the top three candidates. He recommended to the Mayor and the Civil Service Commission that they alter that promotional system in line with what most cities and most departments are doing and that is in addition to the written test, they also have an assessment. They have approximately 12 candidates. Each candidate will have 2 1/2 to 3 hours in the assessment center. They are bringing in professional assessors from the outside. These people are coming in from northwest Ohio, two are chiefs in NW Ohio; and one is a female captain from a very large department in that area. The

applicants are put through four exercises -- an oral interview, an oral presentation, subordinate counseling and a citizen complaint. They are judged on how they interact and handle those situations. The written exam would be 60% and the assessment center would be 40% of the total grade.

Service Director's Report: Service Director Evans provided an update on the storm situation from this past weekend. He thought they recorded about 20 inches of snowfall on Saturday. Mr. Evans thanked the residents for their patience and for trying to stay off the streets. The Service Department did have to push a lot of vehicles out of the way but it would have been worse if more people were on the roads. At one time on Saturday afternoon / evening they had to use their front end loader and a dump truck to get the rescue squad into one subdivision to make a rescue call. So it was an extraordinary event. Mr. Evans thanked the local NAPA dealer who stayed open so they could get parts Saturday afternoon and the Mayor who brought food on Saturday.

Mr. Evans reported they are still working on cleaning things up and have a front end loader out trying to clean up cul-de-sacs and different things. They are working with the post office to clear some of their mail boxes as well. Their salt pile is still significantly depleted so they are not treating side streets the way the City is accustomed to seeing them. Hopefully in the next few days they will get a thaw and clean the side streets better. The bombardier has not been able to get through the sidewalks so there hasn't been any sidewalk plowing this week. Hopefully later in the week they will at least get the sidewalks around the schools taken care of. Mr. Evans stated, in general it was a rough storm and they came through it fairly decently.

Mr. Evans wished Chief Bencin well in his retirement. He stated he has enjoyed work with him and he will be missed by all in the Service Department.

Mayor Coleman commended all of the safety forces for the way they handled the storm and it was a delight to see the way they worked together. The Service Department had to clear a path for the squad to get through; he knew that the Police Department followed one of the pickup trucks; he actually rode around for 2 or 3 hours with one of the guys in a plow truck and saw the way they get people out of the snow. It takes literally five seconds whereas our residents would be working perhaps for an hour to get the car out of the snow. Mayor Coleman stated he was very proud to see the way the departments worked together.

Mr. Lombardo thanked the Service Department for cleaning the aprons on Monday evening.

Mayor Coleman explained that Thom Evans worked with Mr. Hess to come up with a solution because like Thom said they didn't salt the streets; but the streets became slushy because it got a little warmer. The streets became dangerous because the snow was so deep so they plowed again and they had two pickups following just to clean the aprons. That was very good.

Mrs. Murphy then advised she received a question regarding snow removal from aprons for seniors. Mr. Evans advised, anyone who calls and wishes to have their apron cleaned should be directed to the Service Department, Extension 162; and, if there is no one there to answer the call, they can leave a message. He advised, for any senior that needs assistance or somebody else with some disability that needs assistance, they will be glad to clean the apron as soon as they can get other things under control

Chief Cook asked a question regarding the ordinance which is from 1982. Mr. Evans stated the ordinance is rather detailed about the criteria and refers to the fact that you need to be qualified in some way. They take people's word for it -- if someone calls and says there is no other able bodied person there. If somebody calls and says they need their services, they go. They don't keep a list of individual homes because they find that sometimes people need their services and sometimes they don't. A lot of it is related to their private snow plow contractor. The biggest problem with the seniors and with everyone, if their snow plow contractor comes before the city plow does and they have a nice clean driveway, then the city plow fills up the apron. If the city gets through before the resident's snow plow contractor then they don't need the city's service.

Mr. Evans added that a lot of times the residents call the police department and the police dispatchers let their crew leaders know through the weekend when there is a call for service and they address that as quickly as they can.

Council President Mills stated he knew they did a great job because his phone didn't ring. He thanked the Service department for doing a great job.

Building Commissioner's Report: No report.

City Engineer's Report: City Engineer Blackley asked Council support for Item 4 on the agenda which is authorizing the preparation of bid documents for the Highland Road Pedestrian facility. He didn't believe they have approval at this point from ODOT but he did submit a draft set of specifications to ODOT for their review. He hoped to hear back from them soon and would like to see that job go out to bid in the next month. Perhaps at the next Council meeting he will be able to give a better date on when it will go out to bid.

Finance Director's Report: Finance Director Ianiro reported as follows:

- The February statements are in the Council mailboxes. If anyone has questions, feel free to call.
- The Finance Department is working on the conversion of the financial statement with accountants from Zupka's office.
- At the same time they are working with the auditors. He is hopeful that both those projects will be completed by the end of May.
- The joint Tax Incentive Review Council and Community Reinvestment Area Housing Council Meeting is March 19th at 9:00 a.m. A report will be brought to council because Council has to confirm or reject the actions of that committee.
- The invoice in the amount of \$91,524.00 from the Tri-City Consortium on Aging was distributed to Council over the weekend (item No. 7 on the agenda this evening). Mr. Ianiro requested that Item No. 7 be approved under suspension of the rules.
- The 2008 budget documents will be distributed in the Council packets this weekend for review in the Committee of the Whole next week.

Mr. Ianiro stated he has only known Chief Bencin for four years but he appreciated the opportunity of working with him.

COMMITTEE REPORTS:

Mayfield Area Recreation Council (MARC): Mr. Anderson reported a meeting was held last Thursday. There are two weeks left of the floor hockey for the younger children. They are in a second session right now for the older group. They are not having a large signup for flag football, the deadline is March 14th. They feel it will pickup. Last weekend they were supposed to have the boy's championship for MBA basketball but he is assuming that it was cancelled because of the storm Saturday. They did talk about the levy failing but it will be back on the ballot in November.

Park and Recreation Commission: Mr. Anderson reported a meeting was held last week. Baseball observations were last Friday night for boys and girls. This Saturday the Easter party will be held at the Community Center for young children.

Mr. Anderson then displayed renderings of a proposed pavilion for the park. The pavilion would be located in the grass area where the pull-in parking was located formerly. It is a proposed pavilion, amphitheatre, about 2000 SF., concrete, with a fireplace, rustic looking.

Council President Mills set the proposed pavilion for discussion in the Council Committee of the Whole Meeting 3/18/08.

Planning and Zoning Commission: Mr. Pilla reported items were considered at the meeting held March 10, 2008 as follows:

- **CLAP Day Care, Ltd., 201 Alpha Park.** Motion to Grant Conditional Use Permit. Approval was given for a Conditional Use Permit. They will have 12 employees and will handle between 70 and 80 children. They will offer classes other than day care; they are talking about dance instructors, art classes, and maybe gymnastics. Also they may change the name to Play Academy.
- **The Shoppes at Alpha Park.** Final Plan Approval. They lowered the roof one foot and received approval.

Mr. Pilla wished Chief Bencin Good Luck in his retirement.

In response to Mr. Mills' inquiry regarding a timeframe for when the Sunoco Station would come down, Mr. Pilla estimated within 60 days.

Mayor Coleman added that he thought that construction would start in late spring or early summer with occupancy available this fall. He stated they have an aggressive timeframe to complete the project. Their main focus is to refurbish the building where Sims was and to construct the new building.

Legislative & Finance Committee: Mr. Lombardo reported L&F did meet this evening to finalize the budget. Right now they are budgeting a slight surplus and they are trying to build up some funds in the permanent improvement account so they can start road replacements programs next year.

Safety & Service Committee: No report. Mr. Hargate stated, as Safety & Service Chairman he enjoyed working with Ed Bencin over the years that he has been on City Council. He also stated he thought an important point was that since 1955, they have had just two fire chiefs, Ed

Bencin and Frank Strumbly. It is a testament to both men that Highland Heights has had two very successful fire chiefs in those 50 years.

Commission on Aging: No report.

Drainage Committee: No report. Mrs. Murphy scheduled a meeting for March 25, 2008 at 7:00 p.m. She advised the Law Director is reviewing some of the aspects of the proposed draft of the illicit discharge ordinance. Hopefully by the meeting in two weeks they will have feedback from the Law Director and Mr. Austin as Assistant Building Commissioner so they can move forward with this legislation some time in April.

Mrs. Murphy wished Chief Bencin well in his retirement.

Home Days Committee: Mrs. Murphy reported no meetings have been held as yet. She is in charge of the Parade and they are thinking of going with the new city theme -- a city of pride and promise. She asked that anyone interested in assisting or helping with the parade give her a call. The parade is to be held Sunday, August 3rd at 1:30 p.m.

Law Director's Report: Law Director Paluf reported he does have a draft of the illicit discharge ordinance and it should be ready for first reading in two weeks. Also, he will have an ordinance ready for first reading for a Public Records Policy. Agenda Item No. 9 is the inclusion of certain ordinances in the Codified Ordinances. Mr. Paluf reported that he looked at the update for the codified ordinances, the police department looked at it and the City Prosecutor has looked at it and all recommended approval. He recommended suspending the third reading and approval this evening.

Mr. Paluf commended the Fire Chief on his retirement. He advised he has worked with Chief Bencin for over 20 years, including his time as a member of the Civil Service Commission; and they have become friends over the years.

Council President Mills suggested, due to the overwhelming comments of last weeks Committee of the Whole Meeting, that the Law Director prepare a resolution opposing the expansion of the County Airport. Mayor Coleman and Council Members agreed. Mrs. Murphy reminded everyone that the Cuyahoga County Commissioners are going to vote on April 24th.

MAYOR'S REPORT: Mayor Coleman noted that Recreation Commissioner David Ianaro was present at this meeting and reported the observations for the baseball league were held on Friday even though the storm started on Friday. He stated the baseball commissioners did an extraordinary job in making that happen and it was very well organized.

Mayor Coleman then commented, that the first time he met Chief Bencin was after his first Council Meeting which was 12 plus years ago at Mulligan's. Chief Bencin and Mr. Paluf were a couple seats down and looking over at him and said should they tell him what is really going on or not. So the next several years they kind of took him under their wings and educated him on all he needed to know about the city. They became very good friends. Mayor Coleman said, Chief, I will miss you and I am very proud to tell you that.

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

MEETING OPENED TO THE PUBLIC: No one spoke.

NEW BUSINESS:

MOTION APPROVING AMENDMENT TO IMPROVEMENT PLANS AND FINAL SITE PLAN FOR ABERDEEN RESIDENTIAL AREA J, PHASE IV: A motion was made by Mrs. Murphy approving an amendment to the Improvement Plans and the Final Site Plan for Aberdeen Residential Area J, Phase IV; seconded by Mr. Lombardo. Ayes all; motion carried.

MOTION AUTHORIZING PAYMENT TO SPAN: A motion was made by Mr. Pilla authorizing payment to the Suburban Police Anticrime Network (SPAN) in the amount of \$14,000 for the annual dues; seconded by Mr. Anderson. Ayes all; motion carried.

MOTION AUTHORIZING PAYMENT TO DANIEL T. CLANCY & ASSOC.: A motion was made by Mr. Legan authorizing payment to Daniel T. Clancy & Associates in the amount of \$8,110.00 for conducting the Oral Examination for the Promotional Examination for Sergeant of Police; seconded by Mr. Lombardo. Ayes all; motion carried.

MOTION AUTHORIZING CITY ENGINEER TO PREPARE BID DOCUMENTS AND CLERK TO ADVERTISE FOR HIGHLAND ROAD PEDESTRIAN FACILITY: A motion was made by Mrs. Murphy authorizing the City Engineer to prepare bid documents for the Highland Road Pedestrian Facility and authorizing the Clerk to advertise for bids; seconded by Mr. Anderson. Ayes all; motion carried.

ADOPTION OF RESOLUTION 14-2008: Council listened to a Reading of Proposed Resolution 14-2008 which description is: "A Resolution of commendation to Brian Roddy Jr. in recognition of his Ohio State High School Wrestling Championship, for the years of 2007 and 2008" Mr. Anderson moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

ADOPTION OF RESOLUTION 15-2008: Council listened to a Reading in title only of Proposed Resolution 15-2008 which description is: "A Resolution of appreciation to Sergeant Ronald Zagar for his years of dedicated service to the City of Highland Heights, Ohio as a Police Officer for the Highland Heights Police Department." Mr. Hargate moved to adopt; seconded by Mr. Pilla. Mr. Hargate commented that he has known Ron for about thirty years; he knew his brother; went to school with him. Very fine man and good police officer. He wanted it noted for the record that through all this that he appreciated his thirty years of services for the City of Highland Heights. Ayes all; motion carried.

ADOPTION OF RESOLUTION 11-2008: Council listened to the Second Reading in title only of Proposed Resolution 11-2008 which description is: "A Resolution authorizing and directing the Mayor to enter into an agreement with the Tri-City Consortium on Aging and authorizing the payment of the cash match portion for the City of Highland Heights and declaring an emergency." Finance Director Ianiro requested approval this evening. Mr. Pilla moved to suspend the third reading; seconded by Mrs. Murphy. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

SECOND READING PROPOSED ORDINANCE 5-2008: Council listened to the Second Reading in title only of Proposed Ordinance 5-2008 which description is: "An Ordinance appropriating for current expenses and other expenditures of the City of Highland Heights, Ohio, for the period commencing January 1, 2008 and ending December 31, 2008, and declaring an emergency."

ENACTMENT OF ORDINANCE 6-2008: Council listened to the Second Reading in title only of Proposed Ordinance 6-2008 which description is: "An Ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified

Ordinances of Highland Heights, Ohio and declaring an emergency." Law Director Paluf recommended approval this evening. Mr. Lombardo moved to suspend the Third Reading; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Pilla moved to enact; seconded by Mr. Anderson. Ayes all; motion carried.

AGENDA FOR COMMITTEE OF WHOLE MEETING OF 3/18/08 at 7:30 p.m.:

1. Park Pavilion
2. Highland -Bishop Intersection -- Detour plan
3. 2008 Appropriations

Mr. Pilla advised he will be out of town from March 21st through the 31st.
Mr. Anderson will be out of town for the meeting of March 25th.

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

Clerk of Council

President of Council