
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: APRIL 8, 2008**

President of Council Mills presiding.

PRESENT: Mayor Coleman; Councilmen Anderson, Hargate, Legan, Lombardo, Mills, Murphy, Pilla; Clerk of Council Buchak; Interim Fire Chief Molnar; Police Chief Cook; Service Director Evans; Assistant Building Commissioner Austin; City Engineer Blackley; Finance Director Ianiro; Law Director Paluf.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held March 25, 2008 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mr. Lombardo. Ayes all; abstain Anderson, Pilla; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Interim Fire Chief Molnar reported that the Civil Service Commission has scheduled a promotional examination for the position of Fire Chief for May 28, 2008.

Police Chief's Report: Chief Cook reported for the month of March the Police Department responded to 947 requests for service; handled 17 motor vehicle accidents, 4 involving personal injuries; and, responded to 63 residential alarms. Also, 22 prisoners were held in their jail facility for a total of 615 hours.

Chief Cook also reported they are in the process of hiring a patrolman to fill the vacancy created by the retirement of Sergeant Zagar and they are still in the promotional process of replacing Sergeant Zagar.

Service Director's Report: Service Director Evans reported

- Brush collection -- April 7th through June 6th. Residents can put brush out in any length. They ask the residents to call to be placed on a list. The program is running very smoothly. Last year they had over 400 pickups. The new chipper is out there and is doing a nice job.
- The Computer Roundup -- month of April. Residents can drop off their computers and peripherals at the Service Department between 8:00 a.m. and 3:30 p.m.
- Household Hazardous Waste Roundup -- April 21st to May 2nd. This program is conducted in cooperation with the Cuyahoga County Solid Waste District. Pesticides, household chemicals, and oil-based paint can be dropped off at the Service Department Monday through Friday 8:00 a.m. to 3:30 p.m. A one day Saturday collection will be on May 3rd from 9:00 a.m. to 2:00 p.m.
- Several leaf piles were noticed on the tree lawns. With the brush collection program and working on the parks and public grounds, the manpower is not there to start sending the leaf machine out.

In response to Mr. Lombardo's inquiry as to the maximum size brush that can be chipped, Mr. Evans advised they advertise to residents 6 inches but with the new chipper next year they will increase the size.

Building Commissioner's Report: Assistant Building Commissioner Austin reported as follows:

- The assistant living facility at Aberdeen Commons started construction today on their storm sewer.
- They are getting the permit ready to raze the Sunoco Gas Station on Wilson Mills.
- Lance Osborne applied today to obtain permits to start the utilities for the Shoppes at Alpha, using some of that green space between the two gas stations.
- Hackers Restaurant is currently undergoing some renovations inside the building.
- Crostatas Pizzeria work is going along nicely.
- Seven new residential permits were issued this year.

Mr. Mills thank Mr. Austin for responding to a couple calls he received this week.

City Engineer's Report: City Engineer Blackley reported:

- This week they submitted the 2008 Phase II Storm Water Management Update to the Ohio EPA.
- The Fabrizi Trucking & Paving Co is returning to the Colony-Eastlawn Project in the next several weeks to replace sidewalks and drive aprons that are unacceptable.
- Mr. Blackley asked for Council support this evening for Item 3, a resolution authorizing a change order for A & J Cement. He advised this is from last year's concrete program and is for additional work that was requested by the Service Department to replace catch basins.

Finance Director's Report: Finance Director Ianiro reported the County released a check to the City in the amount of \$650,000 as reimbursement for the Colony-Eastlawn Project. They still have one more reimbursement to request but he thinks they have ironed out all the details. The City advanced funds from the general fund to the capital improvement fund and will make that reverse entry in April.

COMMITTEE REPORTS:

Park and Recreation Commission: Mr. Anderson reported in March they learned that on April 20th Barb Holtz from the Metro parks will be taking people through a walk in Highland Heights Park. They sold 130 tickets for the Easter Party which is the largest Easter party Highland Heights has had. Also, they will be getting two porta-potties for the park this year for the baseball season, one to be located by Diamond 1.

Mayfield Area Recreation Council (MARC): Mr. Anderson reported MARC met last Thursday. The Mayfield After Prom is going very strong right now and the theme is the Pirates of the Caribbean. The After Prom is at the end of May. If anyone has never seen it, he recommended they go there Saturday for the After Prom just to see all the work that the people put in. It is

wonderful. The Hockey program for 2nd through 5th grades is finished. The second session for the high school is going on right now. There are five more weeks to go. A gentleman by the name of Al Kay passed away on March 25th at the age of 87. His wife told people if they wanted to give donations, to give them to MARC. As of last week, MARC has received \$962 in donations. Flag Football had 37 children sign up; they wanted to have 40. They will still go on with the program. If the registration does not pick up next year, they may eliminate that program. The program is played at the middle school and on the football field behind the middle school.

Planning and Zoning Commission: No report. Mr. Pilla reported the meeting of March 24th was cancelled.

Legislative & Finance Committee: Mr. Lombardo reported a meeting was held this evening to discuss the city's public records ordinance. Presently the ordinance is being reviewed by the Department Heads and the Records Commission.

Safety & Service Committee: No report.

Commission on Aging: Mr. Hargate reported the next meeting is scheduled for April 21st. The Tri-City Consortium annual Awards Luncheon for Volunteers was held on April 8th. 110 senior volunteers were honored at that luncheon. Also, the 10th Annual Highland Heights Commission on Aging Senior Health Fair will be held on May 7th from 1:00 p.m. to 3:30 p.m.

Drainage Committee: No report.

Home Days Committee: Mrs. Murphy deferred the Home Days report to Mr. Austin. Mr. Austin reported a meeting was held last night and they had a good turn out for the meeting. Everything is moving along well. Mr. Hirsch is back on board. Mr. Austin thought Home Days will be another success. Anyone who is willing to work on Home Days should give him a call.

Mayor Coleman reported there are two little changes this year. 1) They will not going to have a main raffle but they will open the opportunity for an organization if they want it. It was hard to find volunteers to man the main booth and sell tickets. 2) The parade route has changed slightly. With Catalano's being vacant; they will use their parking lot to start the parade. There will still be fire works on Saturday night with a rain date on Sunday, rides, and similar entertainment. It should be very nice.

Regarding the parade, Mrs. Murphy reported the committee has invited Chief Bencin to be the Grand Marshal this year.

Law Director's Report: No report.

MAYOR'S REPORT: Mayor Coleman reported:

- CT Consultants has given a proposal of \$2500 to review the church building. That is within the Mayor's spending authority and they will go ahead with that within the next ten days. They should have an evaluation as to what is needed to save the building or the process to replace the building if they wanted to. He thought before they do anything they should receive an expert opinion.

- The Newsletter is finally to the printer. There were many challenges with it because of the new design and software they are dealing with. They have worked through that and hopefully it will be in resident's hands within a week. They don't expect to have the same challenges with the next one.
- A meeting was held with the Civil Service Commission last week about the Fire Chief Exam. It was originally scheduled for May 21st but had to be put off a week because May 21st is the date of Chief Bencin's Retirement Party. They moved it back to May 28th.
- Mayor Coleman asked Council to add an Executive Session at the end of the meeting to discuss personnel matters and employee wages.

Council President's Report: Council President Mills reported he spoke with a representative from Giant Eagle today. The representative was very positive and they have a couple options that they are looking at. The property is not for sale but they have received offers on the building. They have a new concept that they have just done for their first time in Pittsburgh. It is kind of a mini Giant Eagle. That might be a possibility. Of course the Get Go is always thrown out there but that property is pretty big for that. They are actively looking to do something. No time frame was given.

ITEMS TO BE ADDED TO THE AGENDA:

Motion to adjourn into Executive Session to discuss personnel matters.

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

MEETING OPENED TO THE PUBLIC:

Mrs. Amy Feran, 5650 Hawthorne Drive, addressed Council as a member of a committee calling itself LOGS (Love our Green Space). She thanked Council for their responsiveness to their concerns about the lease with Bass Energy to put gas wells in the park by rescinding the lease with Bass Energy. A couple weeks ago LOGS made a decision to launch a petition drive to put a charter amendment on the ballot in November regarding the park. She read the Proposed Charter Amendment for the record.

"Section 1407 entitled "Preservation of Highland Heights Community Park and Park Lands

City Parks in Highland Heights are a valuable natural resource that significantly contribute to and enhance the quality of life in our city. No part of Highland Heights Community Park, any city owned neighborhood park or any city owned land that is adjacent or contiguous to such parks together with park land shall be sold, exchanged or leased without prior voter approval. Residential, commercial and industrial development of the park land and/or commercial exploitation of the park lands natural resources including gas or oil wells, logging and mining shall be strictly prohibited. Whenever there is a conflict or difference between the charter provision and any other provision of the city charter or any Highland Heights Ordinance this provision shall prevail. "

Mrs. Feran stated there are two reasons for this decision. The first one is this Council isn't going to be around forever. The second one is there seems to be some confusion about the

interaction between the state and local ordinances. She stated in the future if Council decides to swap, sell or lease any of the park land, Council can do it; they just need voter approval to do it.

Mrs. Feran also spoke of the procedures for petitions for a Charter Amendment. The petitions will be brought to Council who is responsible to accept the petitions and then pass an ordinance directing the Board of Elections to put it on the ballot. She also advised they need signatures from 10% of the registered voters. According to the Board of Elections, there were 6,675 registered voters as of last November, so their number is 667 signatures of registered voters. They plan to bring the petitions to Council in early July which will give Council time to review it and get it on the November ballot. Mrs. Feran stated that the ordinance is one of the only ordinances that the Mayors have no authority to veto. She offered to answer any questions and advised she would stay to the end of the meetings if anyone wanted to ask questions.

NEW BUSINESS:

ADOPTION OF RESOLUTION 18-2008: Council listened to a reading in title only of Proposed Resolution 18-2008 which description is: "A Resolution of Appreciation to Fire Chief Edward S. Bencin for his years of dedicated service to the City of Highland Heights, Ohio as Fire Chief for the Highland Heights Fire Department." Mr. Hargate moved to adopt; seconded by Mr. Anderson. Ayes all; motion carried.

ADOPTION OF RESOLUTION 19-2008: Council listened to the First Reading in title only of Proposed Resolution 19-2008 which description is: "A Resolution accepting the donation of Four Thousand Dollars (\$4,000.00) from the Swagelok Company to the City of Highland Heights, to be used specifically for the Home Days Celebration, the Police Department and the Fire Department, and declaring an emergency." Mr. Lombardo moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Lombardo. Ayes all; motion carried.

ADOPTION OF RESOLUTION 20-2008: Council listened to the First Reading in title only of Proposed Resolution 20-2008 which description is: "A Resolution authorizing a change order to the contract with A & J Cement Contractors, Inc. in an amount of Four Thousand Four Hundred Forty Seven Dollars and Ninety Cents (\$4,447.90) and declaring an emergency." Mr. Anderson moved to suspend the Second and Third Readings; seconded by Mr. Lombardo. Ayes all; motion carried. Mr. Hargate moved to adopt; seconded by Mr. Anderson. Ayes all; motion carried.

ADOPTION OF RESOLUTION 21-2008: Council listened to the First Reading in title only of Proposed Resolution 21-2008 which description is: "A Resolution authorizing the Finance Director to make a payment to Stanley Air Tools from non-tax revenues in the amount of Fifty Six Thousand Dollars (\$56,000) pursuant to the Economic Development Grant Agreement dated June 28, 2002, and declaring an emergency." Mr. Pilla moved to suspend the Second and Third Readings; seconded by Mr. Lombardo. Ayes all; motion carried. Mr. Anderson moved to adopt; seconded by Mr. Lombardo. Ayes all; motion carried.

ADOPTION OF RESOLUTION 22-2008: Council listened to the First Reading in title only of Proposed Resolution 22-2008 which description is: "A Resolution authorizing the Finance Director to make a payment to Philips Medical Systems (Cleveland), Inc. from non-tax revenues in the amount of Twenty Thousand Dollars (\$20,000) pursuant to the Economic Development

Grant Agreement dated November 27, 2007, and declaring an emergency." Mr. Pilla moved to suspend the Second and Third Readings; seconded by Mr. Lombardo. Ayes all; motion carried. Mr. Pilla moved to adopt; seconded by Mr. Legan. Ayes all; motion carried.

COMMITTEE OF THE WHOLE -- APRIL 15, 2008

Inasmuch as there were no items for discussion, Council agreed to cancel the Committee of the Whole of April 15, 2008. Council President Mills set a Committee of the Whole for April 22nd prior to the Regular Meeting. Mr. Evans asked Council to discuss repairs for the salt dome and the community center.

MOTION TO ADJOURN INTO EXECUTIVE SESSION: A motion was made by Mr. Pilla to adjourn into Executive Session to discuss personnel matters, specifically employee wages, in accordance with Section 4.05 of the Charter of the City of Highland Heights and Section 121.22(g) of the Ohio Revised Code; seconded by Mr. Hargate. Roll call on the motion: Ayes all; motion carried. Council adjourned at 8:37 p.m. and reconvened at 9:30 p.m.

ADJOURNMENT: A motion was made by Mr. Pilla and seconded by Mr. Anderson to adjourn the meeting. Said meeting adjourned at 9:31 p.m.

Clerk of Council

President of Council