

---

**CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008**

---

President of Council Mills presiding.

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

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held May 13, 2008 was dispensed with. Mr. Anderson moved to accept the Minutes as written; seconded by Mr. Pilla. Ayes all; motion carried.

The reading of the Minutes of a Special Meeting held May 20, 2008 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mr. Pilla. Ayes all; abstain Lombardo; motion carried.

**DEPARTMENT HEAD REPORTS:**

Fire Chief's Report: Fire Lieutenant Turner reported JTM, the painting contractor, has completed the fire station. The exhaust system will be delivered this week and hopefully installed starting on June 2nd.

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

- The promotional process for the position of Police Sergeant has been completed. The Mayor will probably comment on that. After completion of the written exam and the assessment center, the top three candidates were interviewed tonight. They hope to promote someone within the next 7 to 10 days.
- A lease agreement with CodeRED® was discussed with L&F and Safety & Service this evening. Council will be requested to add a motion to the agenda for the \$7500.00 cost of the agreement. They expect to have it operational within 60 to 90 days. Notice for the residents will be in next newsletter. CodeRED® is the lease agreement for what some people think of as reverse 911. That is a proprietary system and is for non purchase of equipment; they would be purchasing 18,450 minutes annually. This system will get information to all residents within 20 to 30 minutes of any type of emergency call.
- Purchase of 5 Panasonic Toughbook CF 28 MDT's for the police cars was discussed with L&F and Safety & Service. Some Panasonic demo units can be obtained through Texas with full warranty at a cost of \$2500 instead of \$4000 per unit. Total cost \$12,608. The cost savings of approximately \$7500. Three existing units would be moved to the Fire Department for their units.

CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008, PAGE 2 OF 8

Service Director's Report: Service Director Evans reported

- Brush collection is still under way and continues through June 6th. To date they have made over 500 stops (a record). Residents are enjoying the program and service department employees are enjoying the new chipper.
- Item No. 2 on the agenda was discussed in the Committee of the Whole last week. That is the contract for new signs for the municipal center and the city gateways. Approval is requested this evening so they can order the signs.
- Item No. 9 on the agenda is the machine they are looking at for sidewalk plowing. Mr. Evans can answer any questions they have on that.

In response to Mr. Mills' inquiry regarding calls that may come in after June 6th and what can they tell the residents, Mr. Evans stated they are getting extremely backed up with their workload but will do everything they can to accommodate the residents.

Mayor Coleman suggested reinforcing the residents with the criteria for rubbish pickup because they still can leave it out at the curb if they cut and bundle it. They have not lost the ability to get rid of their brush.

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

- ARB approved the preliminary site plan for Key Bank going in with Alpha Shoppes. Key Bank will be back in two weeks for final approval.
- Harry Buffalo will be opening in mid-June.
- Crostatas will be going to Columbus on June 6th for approval of the pizza oven. Mr. Austin will attend that meeting.
- The footers for the Aberdeen Commons Assisted Living Facility on Bishop Road are underway.
- Lighting project in the park. Mr. Austin met with CEI today and they will be in the park on Thursday and moving forward with the project. They discussed safety issues about that program. There was a request for a variance in work hours but he explained that the baseball season has begun and with the children in the park he didn't think they would look favorably on granting that request.

In response to Mr. Anderson's inquiry as to when the lighting project should be completed, Mr. Austin advised he was just informed by Darlene Johnson, CEI Representative present at this meeting, that that project should be finished by the time school is out.

City Engineer's Report: No report.

Finance Director's Report: Finance Director Ianiro reported they will be filing their basic financial statement with the state auditor's office by the end of the week as required by law. That statement is the conversion of their cash statement to the CAFR statements. That will

CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008, PAGE 3 OF 8

leave a short period of time to wrap up the audit. Council will be notified of the post audit conference. Last week they received a payment again from the County for reimbursement for the Colony-Eastlawn project. He gave thanks to Thom Evans and Andy Blackley for streamlining that. Today the city has collected \$776,637.00 -- pretty much all the project costs. There will be one more invoice going out after release of the retainer.

**COMMITTEE REPORTS:**

Park and Recreation Commission: No report.

Mayfield Area Recreation Council (MARC): No report.

Planning and Zoning Commission: Mr. Pilla reported as follows:

- **Knowledge Learning Corporation, 675 Miner Road.** A variance to parking requirements was granted and Preliminary Site Plan Approval was given.
- **Sheri Lipton, 5348 Wilson Mills Road.** Approval was given for a 16 x 16 ft. turn around in the front yard.
- **Heilind Electronics, 5300 Avion Parkway.** Approval was given for a variance to the side yard setback requirements and Final Approval was given for the parking lot expansion.
- **Key Bank, The Shoppes at Alpha Place.** No variances were required.
- **Swagelok, 328 Bishop Road.** Final Approval of Parking Lot Expansion. Variances are needed. A public hearing was scheduled for June 9th.
- **Harry Buffalo Restaurant, 5596 Highland Road.** A variance was granted at the last meeting. Sign approval was given.
- **Thomas Ungrady, Jr., 588 Miner Road.** The request for a variance was reviewed. A public hearing was scheduled for June 9th.
- **National City Bank, 26460 Curtis Wright Parkway.** This item was added to the agenda. Request is for 13 additional park spaces in the front yard. A public hearing was scheduled for June 9th.
- **Terry Allen, 6291 Maypine Farms Estates.** This is a request for a day care center in a residential area. A public hearing is scheduled for June 9th.

Mayor Coleman asked Mr. Austin if there were any other outstanding issues at Heilind Electronics. Mr. Austin stated they are negotiating with Stanley for permission to do some work in the swale and they have a green light to go ahead with the project. They probably will come in tomorrow and will receive their permit as long as he receives a letter from Stanley.

Legislative & Finance Committee: Mr. Lombardo reported L&F met this evening with the following recommendations:

CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008, PAGE 4 OF 8

- On the agenda are three economic development payments with Swagelok, Discopy, and SWL. L&F recommended suspension of the three readings and approval this evening.
- L&F approved the purchase of the snow blower for cleaning sidewalks and other service department requirements. They would like to have that placed on the next meeting's agenda along with legislation for transfer of funds to cover that expense because it was not included in the original budget.
- Purchase of the five MDT terminals was already covered by the Police Chief. L&F recommended approval.
- L&F did a brief overview of the budget as it stands after the first few months. Expenditures are at approximately 16% below budget and income is approximately 40% above budget.

Safety & Service Committee: Mr. Hargate reported Safety & Service met this evening, May 27th.

- They discussed with Service Director Evans a request for a 2008, 2.5 ton truck. They have a proposal from Bob Ross Buick for \$33,336.50. There will be two trade-ins: A 1991 Ford L8000 and a 2000 Dodge Dump Truck. Total trade-ins would be \$7500, grand total, \$25,836.50. That is for cab and chassis only; they will be getting a snow plow and other pieces of equipment for that truck later. Service Director Evans hopes that the cost for that truck with all extras on it will be under \$60,000. Mr. Hargate asked authorization for this to be placed on the agenda in two weeks for first reading.
- They discussed with Chief Cook a lease agreement for CodeRED® (a reverse 911) for \$7500. The committee approved that expenditure and recommended that.
- They also discussed purchase of the MDT computers for the police cars. There are several demos that are available. The cost would be \$12,608. The purchase is time sensitive to act. Cost approximately \$2500 per computer which is about \$1500 less than normal costs. They would have full factory warranties. The Committee is in agreement to proceed with approval this evening and ask that it be added to the agenda.

Commission on Aging: No report.

Drainage Committee: No report. Mrs. Murphy scheduled a meeting for 7:00 p.m., on June 10th.

Home Days Committee: Mrs. Murphy reported as far as the parade everything is going very well.

Mr. Austin reported everything is moving forward; they have a lot of vendors coming forward for the food tent. They have five new different activities for the children. It is moving along nicely.

In response to Mr. Anderson's inquiry regarding signing the contract for the carnival, Mr. Austin advised, not as yet but the contractor has assured him that he would be here for Home Days.

CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008, PAGE 5 OF 8

**Law Director's Report:** Law Director Paluf advised, after discussion with City Engineer Blackley, he recommended approval this evening of Item No. 3 which is an easement for the SW corner of the intersection and is involved in the Highland-Bishop Intersection Improvement. There are still two easements to be obtained.

Mrs. Murphy asked if there was any update on the Nancy McCracken, 336 Miner Road, drainage matter. Mr. Paluf advised he talked with the City Engineer last week and with Mr. Kristosik, the neighbor, regarding another option that Mr. Blackley is working on.

**MAYOR'S REPORT:** Mayor Coleman reported he is excited about the CodeRED® contract. This has been discussed for a couple years now. He thought it is a wonderful unique service they will offer to the residents. Hopefully the system will be tested within 45 to 60 days. He would like to have the newsletter go out before that so residents are aware of what is going on. The city purchased a finite number of minutes as opposed to purchasing the equipment. The equipment purchase was just a number that they shouldn't have entertained without experiencing what is being offered to the residents. So this is a low cost way to offer the service and it doesn't have an open ended expenditure amount on it.

As Chief Cook reported the promotional exam for Sergeant is completed. Today they have interviewed the top three candidates for the Sergeant position that came open when Sergeant Zagar retired. A decision will be made by the end of the week and hopefully he can swear that individual in at the next regular council meeting.

Regarding the park pavilion, Mayor Coleman stated he would like to get Tony Valentino, Chairman of the Park & Recreation Commission and David Ianiro, Recreation Director to attend the next Committee of the Whole meeting. Also, Dave can give a beginning of the season update on the park programs. There is a potential conflict with their schedules but he would like both of them to attend the next time Council discusses the pavilion.

As everyone knows, Art Pitingolo passed away and he had a very prominent role on the Commission on Aging. Clarence Brichacek has been on the Commission for several years now and he has taken Art's place as Chairman.

**Council President's Report:** Council President Mills stated the organizers of the Memorial Day celebration yesterday did a wonderful job. It was very well attended. Weert Ley made a last minute decision to move the celebration inside and the community center was full. The speakers were excellent.

Mr. Mills also asked that the newsletter be placed on the agenda for the next committee of the whole for Council to discuss subjects for inclusion in the newsletter.

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

1. Motion authorizing a contract with Nomar, LLC, for the purchase of five (5) Panasonic Toughbook CF-30 Touchscreen Laptop Computers at a cost not to exceed \$12,265.00.

CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008, PAGE 6 OF 8

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

2. Motion authorizing a one year agreement with CodeRED® at a cost not to exceed \$7,500.00.

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 one spoke.

**NEW BUSINESS:**

**MOTION TO ADJOURN INTO EXECUTIVE SESSION:** A motion was made by Mr. Pilla to adjourn into Executive Session 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 to discuss imminent litigation and employment matters; seconded by Mrs. Murphy. Roll call on the motion: Ayes all; motion carried. Council adjourned at 8:25 p.m. and reconvened at 9:25 p.m.

**MOTION AUTHORIZING PURCHASE OF FIVE COMPUTERS FROM NOMAR, LLC:** A motion was made by Mr. Anderson authorizing the purchase of Five (5) Panasonic Toughbook CF-30 Touchscreen Laptop Computers from Nomar, LLC for a total cost not to exceed \$12,625.00; seconded by Mr. Pilla. Ayes all; motion carried.

**MOTION AUTHORIZING A CONTRACT WITH CODERED:** A motion was made by Mr. Legan authorizing a one year contract with CodeRED® (an Emergency Notification System) at a cost not to exceed \$7500.00; seconded by Mr. Anderson. Ayes all; motion carried.

**MOTION AUTHORIZING A CONTRACT WITH NORTHCOAST SIGNWORKS:** A motion was made by Mr. Anderson authorizing a contract with Northcoast Signworks in the amount of \$12,180.00 for signs for the Municipal Complex and the City's gateways in accordance with their estimate No. 1683, dated 5/14/2008; seconded by Mr. Lombardo. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 26-2008:** Council listened to the First Reading in title only of Proposed Resolution 26-2008 which description is "A Resolution accepting an easement from JCQ PROPERTIES, LLC, for the construction, maintenance, inspection, operation, protection, repair and replacement of sidewalks and traffic control devices, together with all appurtenances thereto and declaring an emergency." Law Director Paluf requested approval this evening to help move the Highland-Bishop Intersection Improvement project along. Mr. Legan moved to suspend the Second and Third Readings; seconded by Mr. Lombardo. Ayes all; abstain Pilla; motion carried. Mr. Hargate noted that Mr. Pilla is to state his reason for abstaining. Mr. Pilla stated his reason for abstaining is that he holds the first mortgage on this property. Mr. Legan moved to adopt; seconded by Mr. Lombardo. Ayes all; abstain Pilla; motion carried.

**ADOPTION OF RESOLUTION 27-2008:** Council listened to the First Reading in title only of Proposed Resolution 27-2008 which description is: "A Resolution authorizing the Finance Director to make a payment to Swagelok Company from nontax revenues in the amount of One Hundred Sixty-Seven Thousand, One Hundred Eighty-Nine Dollars (\$167,189) pursuant to the

CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008, PAGE 7 OF 8

Economic Development Grant Agreement dated June 30, 2005 and declaring an emergency." Finance Director Ianiro requested approval this evening. Mr. Lombardo moved to suspend the Second and Third Readings; seconded by Mr. Anderson. Ayes all; motion carried. Mr. Lombardo moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 28-2008:** Council listened to the First Reading in title only of Proposed Resolution 28-2008 which description is: "A Resolution authorizing the Finance Director to make a payment to WLS Stamping Company from nontax revenues in the amount of Seventeen Thousand Six Hundred Seventeen Dollars (\$17,617) pursuant to the Economic Development Grant Agreement dated April 11, 2006 and declaring an emergency." Finance Director Ianiro recommended approval this evening. Mr. Pilla moved to suspend the Second and Third Readings; seconded by Mr. Lombardo. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

**ADOPTION OF RESOLUTION 29-2008:** Council listened to the First Reading in title only of Proposed Resolution 29-2008 which description is: "A Resolution authorizing the Finance Director to make a payment to Diskcopy, LLC from nontax revenues in the amount of Two Thousand Three Hundred and Two Dollars (\$2,302) pursuant to the Economic Development Grant Agreement dated November 27, 2007 and declaring an emergency." Finance Director Ianiro requested approval this evening. Mr. Pilla moved to suspend the Second and Third Readings; seconded by Mr. Anderson. Ayes all; motion carried. Mr. Lombardo moved to adopt; seconded by Mrs. Murphy. Ayes all; motion carried.

**FIRST READING PROPOSED RESOLUTION 30-2008:** Council listened to the First Reading in title only of Proposed Resolution 30-2008 which description is: "A Resolution declaring the necessity of providing for the payment of street lighting and the improvement or installation of additional lighting by special assessment of all parcels benefited, and declaring an emergency."

**FIRST READING PROPOSED RESOLUTION 31-2008:** Council listened to the First Reading in Title only Proposed Resolution 31-2008 which description is: "A Resolution retaining the law firm of Baker, Hostetler to provide legal services to the City of Highland Heights pertaining to matters with Stonewater Golf Club and any proceedings related thereto, and declaring an emergency."

**SECOND READING PROPOSED RESOLUTION 25-2008:** Council listened to the Second Reading in title only of Proposed Resolution 25-2008 which description is: "A Resolution authorizing the Mayor to execute a contract with Bobcat of Cleveland for the purchase of a Bobcat 5600 Turbo Toolcat, in an amount not to exceed \$47,177.00 pursuant to the Ohio Cooperative Purchasing Act, and declaring an emergency."

**ENACTMENT OF ORDINANCE 9-2008:** Council listened to the Third Reading in title only of Proposed Ordinance 9-2008 which description is: "An Ordinance amending Ordinance 1-2008 establishing compensation for certain employees of the City of Highland Heights, Ohio, commencing January 1, 2007, repealing all ordinances inconsistent therewith and declaring an emergency." A motion was made by Mr. Legan to amend Ordinance 9-2008 to amend the 2009

CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 27, 2008, PAGE 8 OF 8

pay for the Fire Chief to \$91,000; seconded by Mr. Anderson. Roll call on the motion: Ayes Anderson, Legan, Lombardo, Mills, Murphy, Pilla; nay Hargate. Ayes all; motion carried.

A motion was made by Mr. Anderson to enact consistent with an amended document dated 5/20/08-A with the amendment of the 2009 pay for the Fire Chief to \$91,000; seconded by Mr. Pilla. Ayes Anderson, Legan, Lombardo, Mills, Murphy, Pilla, nay Hargate. Motion carried.

**AGENDA FOR COMMITTEE OF THE WHOLE MEETING OF 6/3/08**

1. Proposed Park Pavilion
2. 5775 Highland Road Building - Review of Reports
3. Street Signs
4. Discussion on Engineering and Specifications to bid the Community Center Repair Project.
5. Maintenance - Retail Lots
6. Newsletter

**ADJOURNMENT:** A motion was made by Mr. Pilla and seconded by Mr. Anderson to adjourn the meeting. Said meeting adjourned at 9:40 p.m.

---

Clerk of Council

---

President of Council