
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: OCTOBER 28, 2008**

President of Council Mills presiding.

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

ABSENT: Councilman Anderson, excused.

STUDENTS PRESENT AT MEETING: Council President Mills recognized two students who were present for a class project -- Michael Petrarca and Mark Banchy from Benedictine High School.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held October 14, 2008 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mr. Lombardo. Ayes all; abstain Pilla; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Fire Chief Turner reported a few items:

- On October 21st the Fire Department responded to a house fire at 681 Bishop Road. The fire was located on the second floor and was extinguished quickly with the aid of several departments. Damage was around \$50,000. Cause was accidental.
- On October 25th the Fire Department hosted their annual Open House. It was a great success. Many residents thanked them for the opportunity to see the station.
- Reminder, the Fire Department is still offering the basic first aid class on November 8th from 9 to 2. Two spots are open.

Mr. Mills advised he did attend the Open House and saw all the new equipment; the FEMA truck was outstanding.

Police Chief's Report: Chief Cook referred to two items on the agenda this evening and requested approval. One is awarding a contract for the construction project with Ed Kintz for the jail and the other is the purchase of video system units from LC3 Communications for the police cars.

Service Director's Report: Service Director Evans report:

- The leaf collection is well underway. The program began on October 13th. They are into their third week and the collection has run smoothly. Approximate circuit time around the city is 6 to 7 days right now.

- Salt delivery started and some nasty weather is projected over night. The new salt dome is about 50% filled.
- The contractor at the Community Center that is doing the tuck pointing has begun and is on the third of four walls. They are kind of getting the new landscaping dirty. They may have to have the landscaper come in and spruce that up when they are done. They kind of expected conflicts with multiple contractors on that site at the same time. Otherwise the tuck pointing contract is going well.
- Item No. 1 on the agenda is for additional planting on the mound behind the Service Garage, and,
- Item 2 is the 2008 Fall Street Tree Program. Mr. Evans requested consideration of both those items this evening.

In response to Mrs. Murphy's requested for the dates the Community Center will be closed, Mr. Evans advised from November 5 to November 30th or the 1st of December, approximately 5 weeks.

Mrs. Murphy asked for a time frame for the landscaping on the mound behind the Service Department. Mr. Evans stated when approved, he will contact the contractor. They expect to have that work done in November but it could be in December which is not a problem

Building Commissioner's Report: Assistant Building Commissioner Austin reported a few updates:

- Osborne is doing well at the Shoppes at Alpha. They have two tenants signed in there.
- Key Bank is moving along also. They are trying to install the sub base and first coat of asphalt for the parking lot so that can be used through the winter. They will come back in the spring and top coat it.
- Kinder Care on Miner Road has started and is clearing the site. They have approvals from the Water Department, the Sanitary Engineer's office and the Board of Health.

In response to Mrs. Murphy's inquiry as to who the two tenants were for the Shoppes at Alpha, Mr. Austin advised one is Panera and Mayor Coleman added that the other one is Verizon Wireless.

Mrs. Murphy noted that the landscaping at Wilson Mills and Bishop looks like it is pretty well underway. Mr. Austin stated that the lot has been seeded, graded, straw is in place and it is a much improved lot.

City Engineer's Report: City Engineer Blackley reported

- The Highland-Bishop intersection has been paved this week. The contractor, Tri Mor will be back to deal with some punch list items. The next step is the signalization. They are on track for early December for that work. Prior to that, weather permitting they will install the permanent pavement markings to better direct traffic.
- The 2008 Miscellaneous Concrete Program has been completed. The curb ramps on Aberdeen Boulevard have been installed.

- The Community Center Drainage, Concrete and Landscape Repairs Project is just about wrapped up. The landscaper, Landscape by Design, will be back to finish some mulching and to touch up the landscaping. That job went well.

Mrs. Murphy asked, regarding the Highland-Bishop Intersection Project, why there is no curb ramp installed on the Harry Buffalo property across Bishop. Mr. Blackley advised they are waiting for the removal of the foundation of the string pole that is adjacent to it and for CEI to put in poles. Then the curb ramp will be installed.

In response to Mr. Mills' inquiry regarding the program for the new signalization, Mr. Blackley advised it is a four phase operation - with much longer storage for left turns than before. Mr. Evans added that as it was before, the left turns will go first and then the through lanes. The new controller will give more opportunity to adjust based on the count of traffic -- there are pavement detectors that will know if there is more traffic that will allow the green times to extend longer to get a few more cars through. It will also allow a change in the phasing, based on traffic pattern. The computer will actually allow it to work on eight different phases, depending on the call from traffic moving in the various directions. Mr. Evans stated it should really improve the intersection.

Finance Director's Report: No report.

Economic Development Committee: Finance Director Ianiro advised an Economic Development Meeting is tentatively scheduled for next Thursday, November 6th at 4:45 p.m.

COMMITTEE REPORTS:

Park and Recreation Commission:

Mr. Mills reported Park & Recreation had their annual Halloween Party this Saturday at the Community Center. Recreation Director David Ianiro did a spectacular job as always and Mrs. Jane Lawless who organized all the youth volunteers did a great job as well. All had fun.

Mayfield Area Recreation Council (MARC): No report.

Planning and Zoning Commission: Mr. Pilla reported the following items were considered last evening:

- Rose Percic, 972 Millridge Road, received variances for her fence providing she pulls down the stockade fence and replaces it with an approved board on board fence.
- KinderCare Learning Center, 675 Miner Road, was granted final approval.

Legislative & Finance Committee: Mr. Lombardo reported a meeting was held October 21st to discuss the status of the budget, the Police Station Renovation, new cameras for the Police Department and the Public Records Legislation. The budget is in good shape, income is ahead of budget, expenses are below budget and they should end the year with a surplus. Remodeling bids for the Police Department were discussed. It is within the budgeted amount and is on the agenda tonight. Award of the bid is recommended. The Police Department budgeted for two new cameras but due to recent camera failures is now in need of three additional cameras. Chief Cook has identified excess funds in other accounts and is requesting

five cameras. The expenditure will be within the overall budget amount. The item is recommended by the L&F Committee and is on the agenda tonight. The Public Records legislation was reviewed and finalized by the committee. That item is also on the agenda tonight.

Safety & Service Committee: No report.

Commission on Aging: Mr. Hargate reported: 1) the annual flu shot program held October 2nd was very well attended. 2) the Tri City Garage Sale is scheduled for this Saturday, November 1st from 9 a.m. until 2 p.m.

Drainage Committee: No report. Mrs. Murphy called a meeting for November 11th at 6:30 p.m. anticipating that they may have a committee of the whole at 7:30 p.m.

City Engineer Blackley advised he will invite Claire Posius, Coordinator for the Euclid Creek Watershed Council to attend

Law Director's Report: Law Director Paluf asked Council to add an Executive Session to the agenda to discuss pending litigation.

MAYOR'S REPORT: Mayor Coleman thanked Chief Cook and all the department heads for their work in adopting the City Public Records Policy. It was a lot of work and a long time coming. He appreciated Chief Cook's efforts in spear heading this project.

Mayor Coleman reported they had problems with construction at the Alpha Plaza and where the contractors were leaving their equipment -- sometimes blocking the entrance to the plaza. He thanked Mr. Austin in getting them to move their equipment.

Finally, Mayor Coleman reported he did get an unsolicited call from one of the businesses at the corner of Bishop and Highland stating the project was a long time coming but worth the wait -- they liked the way the project ended.

ITEMS TO BE ADDED TO THE AGENDA:

Motion to adjourn into Executive Session to discuss pending litigation.

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

MEETING OPENED TO THE PUBLIC:

Mr. Tom Hughes, 957 Millridge Road, stated he attended the P&Z meeting last evening. He objected to a variance granted for a fence and suggested Council consider legislation to hold contractors accountable for doing unauthorized work. Mr. Hughes also objected to the size, location and number of signs and ribbons promoting the school levy. He suggested information should have been provided in the newsletter advising of the cost of the school levy.

NEW BUSINESS:

MOTION AUTHORIZING CONTRACT WITH LANDSCAPE BY DESIGN: A motion was made by Mrs. Murphy authorizing a contract with Landscape by Design for the Service Yard Landscaping Project at a cost not to exceed \$9,650.74; seconded by Mr. Pilla. Ayes all; motion carried.

MOTION AUTHORIZING A CONTRACT WITH FRATE LANDSCAPING: A motion was made by Mr. Pilla authorizing a contract with Frate Landscaping in the amount of \$10,821.35 for the 2008 Fall Street Tree Program; seconded by Mr. Legan. Ayes all; motion carried.

ADOPTION OF RESOLUTION 56-2008: Council listened to the First Reading in title only of Proposed Resolution 56-2008 which description is: "A Resolution approving the admission of the City of University Heights as a new member of the Norma Self-Insurance Pool, Inc., and declaring an emergency." Finance Director Ianiro recommended approval this evening. 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. Pilla. Ayes all; motion carried.

ADOPTION OF RESOLUTION 57-2008: Council listened to the First Reading in title only of Proposed Resolution 57-2008 which description is: "A Resolution authorizing payment in the amount of \$58,963.79 to the Northern Ohio Risk Management Agency Self-Insurance Pool, Inc. (N.O.R.M.A.) and declaring an emergency." Finance Director Ianiro recommended approval this evening. Mr. Lombardo advised L&F recommended approval. Mr. Lombardo moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Lombardo moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

ADOPTION OF RESOLUTION 58-2008: Council listened to the First Reading in title only of Proposed Resolution 58-2008 which description is: "A Resolution declaring Ed Kintz Construction, Inc. as the lowest and best bidder for the Highland Heights Police Department Interior renovations, authorizing the Mayor to enter into a contract with said bidder not to exceed the sum of Thirty Eight Thousand Nine Hundred Dollars (\$38,900.00), rejecting all other bids received and declaring an emergency." Chief Cook recommended approval this evening. Mr. Hargate moved to suspend the Second and Third Readings; seconded by Mrs. Murphy. Ayes all; motion carried. Mr. Hargate moved to adopt; seconded by Mr. Lombardo. Ayes all; motion carried.

ADOPTION OF RESOLUTION 59-2008: Council listened to the First Reading in title only of Proposed Resolution 59-2008 which description is: "A Resolution authorizing a contract with L3 Communications Mobile-Vision, Inc., for the purchase of Five (5) L3 Communications Mobile Vision Flashback 2 Digital In-Car Video System Units with Collision Sensor, evidence viewer work station and wireless access for use by the Police Department in an amount not to exceed Twenty Nine Thousand Nine Hundred Eighty Seven Dollars (\$29,987.00), pursuant to the Ohio Cooperative Purchasing Act and declaring an emergency." Chief Cook recommended approval this evening. Mr. Hargate moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Lombardo moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

SECOND READING PROPOSED ORDINANCE 7-2008: Council listened to the Second Reading in title only of Proposed Ordinance 7-2008 which description is: "An Ordinance authorizing the Mayor to adopt a City Public Records Policy in accordance with Substitute House Bill 9 and declaring an emergency."

MOTION TO ADJOURN INTO EXECUTIVE SESSION: A motion was made by Mr. Pilla to adjourn into Executive Session to discuss pending legal matters 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. Legan. Roll call on the motion: Ayes all; motion carried. Council adjourned at 8:35 p.m. and reconvened at 8:45 p.m.

Council Schedule: Council President Mills announced that Council would not meet in a Committee of the Whole on November 4th because it is Election Day.

The following meetings are scheduled for November 11th:

- 6:30 p.m. Drainage Committee
- 7:30 p.m. Council Committee of the Whole
- 8:00 p.m. Regular Council Meeting

ADJOURNMENT: A motion was made by Mr. Pilla and seconded by Mr. Lombardo to adjourn the meeting. Said meeting adjourned at 8:47 p.m.

Clerk of Council

President of Council