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

President of Council Mills presiding.

PRESENT: Mayor Coleman; Councilmen Anderson, Hargate, Legan, Lombardo, Mills, Murphy, Pilla; Clerk of Council Buchak; Fire Captain 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 October 28, 2008 was dispensed with. Mr. Lombardo moved to accept the Minutes as written; seconded by Mr. Legan. Ayes all; motion carried.

MOMENT OF SILENCE FOR VETERANS DAY NOVEMBER 11, 2008: Council President Mills asked everyone to observe a moment of silence in honor of all veterans.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Captain Molnar reported this past Saturday the Fire Department certified thirteen residents in Basic First Aid and CPR. The class was well received by the residents and they have another class scheduled for the first quarter of 2009, if there is enough interest.

Police Chief's Report: Chief Cook reported for the month of October the Police Department received 901 calls for service. The department handled ten motor vehicle accidents, two with injuries and one involving a fatality. Also they responded to 46 residential alarms. Twenty prisoners were held for approximately 700 hours.

Service Director's Report: Service Director Evans provided a few updates:

- Landscaping Mound behind the Service Department: A local company will be used to take down the large trees that need to come off the property before the installation of new trees. That is expected to happen next week.
- Fall Street Tree Planting Program: All trees are planted. The contractor will be back in the next few days to wrap the trees.
- Community Center: A structural engineer will do assessments on the center later this week.
- Community Center Waterproofing Project: The City Engineer is handling this project and it is pretty much complete. They replaced concrete under the overhang in front of the doors; however, two spaces were left behind because they thought that the next contractor, the masonry contractor would construct some beams to hold up the overhang where there was brick damage. The consultant determined that the additional supports were not necessary. The other contractor will come back and finish the concrete work.

- Community Center Tuck Pointing: The contractor is about 75% complete. The tuck pointing is going along smoothly.
- Community Center Interior: The interior contractor began November 5th the day after Election Day with tearing down the wallpaper and doing baseboard repair.
- Salt Building: They have 3200 tons of salt on hand with approximately 500 tons in the old building and 2700 tons in the new salt dome. Mr. Evans thanked Building Commissioner Austin who used his skills and expertise as an operator to get the last 500 tons into the dome for them. They were actually driving around in the salt dome to pile the last 500 tons of salt.
- Leaf Collection: This program has been going smoothly. The last circuit was approximately six days to get around the city. With the snow the collection is expected to slow down to an 8 or 10 day range. Mr. Evans calculated that they are about 1/3 of the way through with the program.

In response to Mr. Mills' inquiry regarding disposal of the leaves, Mr. Evans advised previously they had taken the leaves to South Euclid at Green and Monticello. That company relocated and took over the ecological services compost at E.165th and St. Clair. It was thought that would take longer because of trip time; however, it is a few more minutes but the dump time is much quicker because they don't have to wait in line to dump. The turn around is no worse and is possibly a little better than it was to go to South Euclid. There is a slight annual fee but they are not paying by the load.

Mr. Anderson advised he has had a lot of positive feed back on the new street signs; however, he received two calls asking why Eastlawn was not on the sign with Colony. The old sign did say Colony and Eastlawn. Mr. Evans stated that was an oversight and will be adjusted.

Building Commissioner's Report: Assistant Building Commissioner Austin reported information was provided in Council packets regarding a gas well on Miner Road and Alpha Drive. The well is located at 750 Alpha Drive. Bass Energy has a permit to drill that well and has the residential property along Miner Road from 749 South to Wilson Mills under contract. They said in the future they will probably come back and drill a second well, 800 feet from the existing well at 750 Alpha. Mr. Austin advised he was invited to look at the site with the contractor.

Mrs. Murphy commented that in the information Mr. Austin provided regarding that gas well in the PCM area, it looked like there was an access drive off Miner Road. Mr. Austin advised the access drive is coming in from 749 Miner Road. The battery cage will be in the back of the property behind Home Depot in the grass area and that is where the trucks will come in so the access drive is off of Miner at 759 and the gas line that they will tie into will be at 749 Miner Road. Also to access the well they will come in at the back of 750. He noted when they were there that the ordinance requires a 25 foot wide drive. Bass Energy was to look at that to guarantee that they complied with the ordinances.

Mrs. Murphy asked Mr. Austin what parts of the City ordinances relative to gas wells he enforces when it comes to private land owners? Mr. Austin stated, it depends on how it is located and that is why it is nice to see the actual location and put that against our ordinances.

In response to Mrs. Murphy's inquiry relative to landscaping, Mr. Austin said the battery on Miner Road will be screened with landscaping and a board on board fence and for the well site which is a 10 x 10 area they will put up a fence and bollards for parking

Mrs. Murphy noted that the well is 100 feet from some of the buildings but that is the State minimum and these are private land owners.

City Engineer's Report: City Engineer Blackley reported most of the projects are wrapped up for the year. The Highland-Bishop Intersection Project is pretty much in abeyance until they come in with the new mast arms and sign equipment. The contractor will be back tomorrow to address some punch list items; specifically, to do work on the pavement in front of a couple of catch basins.

In response to Mr. Anderson's inquiry regarding the fact there is no cross walk near Harry Buffalo's Restaurant, Mr. Blackley advised that a foundation there has to be removed and the new mast arms installed. Then the curb ramp will be installed.

In response to Mr. Mills' inquiry as to when they would hear on the State Issue I (DOPWIC) applications, Mr. Blackley advised in the first week in December and also the results will be posted on their website.

In response to Mrs. Murphy's inquiry regarding other places where the concrete has not been poured, Mr. Blackley advised several power poles have to be relocated and that work is slated for the beginning of December.

Finance Director's Report: No Report.

Economic Development Committee: Finance Director Ianiro announced that the Economic Development Committee Meeting has been rescheduled for November 17th at 5 p.m.

COMMITTEE REPORTS:

Park and Recreation Commission: Mr. Anderson reported the Commission has completed their next five year plan. He distributed copies and requested discussion in a Committee of the Whole Meeting.

Mayfield Area Recreation Council (MARC): Mr. Anderson reported a MARC Meeting was held on December 6th. The Art Show went very well. They met the quota for flag football. They have 4 teams for 6th, 7th and 8th grade students and they have 4 teams for floor hockey for 4th and 5th grade students.

Planning and Zoning Commission: Mr. Pilla reported in a meeting held November 10, 2008 the Commission considered the request from **Jet, Inc., 750 Alpha Drive**, for a variance to permit a ground sign. The variance was granted and approval was given for the ground sign.

Legislative & Finance Committee: No report.

Safety & Service Committee: No report. Mr. Hargate scheduled a meeting for November 25th at 7:30 p.m.

Commission on Aging: No report.

Drainage Committee: Mrs. Murphy reported a meeting was held this evening:

- Claire Posius, Coordinator with the Euclid Creek Watershed, attended the meeting. They are evaluating possible retention basin retrofit projects. What this means is they are creating a man made wetland in an existing basin area and are sending out study crews to each of the eight cities to evaluate such projects. Apparently there is grant money available. Claire Posius wanted the City to know that they will come through the City. Apparently one area of great interest is the Community Center retention basin area.
- Mr. Evans provided an update from the County Sewer Department regarding a study that has been ongoing for almost two years. They are still performing some investigations in the Jefferson and Radford areas.
- Several residential updates were received.
- Discussion continued regarding the Roy-Renee-Esther Project and how they might be able to break that out.

Law Director's Report: Law Director Paluf reported he has been meeting as well as corresponding with the attorneys for Forest City and reviewing the streets in the Aberdeen Residential Area and the Aberdeen Business Park to determine what streets were actually accepted for dedication and what were accepted for record purposes only by the city. Their three year bond is already up. Mr. Paluf suggested discussion in a future Committee of the Whole.

MAYOR'S REPORT: Mayor Coleman reported as follows.

- With respect to Item No. 4 on the agenda, the Public Records Policy has a provision that he is to appoint a Records Custodian for the administration. Mayor Coleman stated he intends to appoint Chief Cook as Records Custodian and added that Chief Cook was instrumental in drawing up the policy and he is familiar with the language.
- With respect to the 2009 budget, Finance Director Ianiro intends to have the budget to L&F by the first week of December. Mayor Coleman will look at the capital funding of each department between now and then, in light of what they have going on at the Community Center; and, hopefully they will know sometime soon about the City's applications for State Issue I (DOPWIC) funding and whether or not they need to adjust the capital requests for that.
- Finally Mayor Coleman asked Council to schedule discussion of the sidewalk program in a Committee of the Whole Meeting. He requested a general discussion about that program, what areas they want to look at and the timing to have the inspections done and ultimately the construction.

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

MEETING OPENED TO THE PUBLIC: No one spoke.

NEW BUSINESS:

MOTION TO CANCEL DECEMBER 23, 2008 MEETING: A motion was made by Mr. Anderson to cancel the December 23, 2008 Council Meeting; seconded by Mr. Pilla. Ayes all; motion carried.

MOTION AUTHORIZING SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATINS FOR THE RUBBISH-RECYCLING CONTRACT: A motion was made by Mr. Hargate authorizing the Service Director to prepare plans and specifications for the Rubbish-Recycling Contract and authorizing the Clerk to advertise for bids; seconded by Mr. Legan. Ayes all; motion carried.

MOTION AUTHORIZING PAYMENT TO REMINGER CO., FOR LEGAL SERVICES: A motion was made by Mrs. Murphy authorizing payment in the amount of \$17,938.61 for legal services rendered for the month of September in the case Bass Energy, Inc. vs. The City of Highland Heights; seconded by Mr. Anderson. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 7-2008: Council listened to the Third Reading in title only of Proposed Ordinance 7-2008 which title is: "An Ordinance authorizing the Mayor to adopt a City Public Records Policy in accordance with Substitute House Bill 9 and declaring an emergency." Mr. Lombardo moved to enact; seconded by Mr. Hargate. Ayes all; motion carried.

MOTION TO ADJOURN INTO EXECUTIVE SESSION: A motion was made by Mr. Hargate to adjourn into Executive Session to discuss pending litigation, the case of Bass Energy vs. The City of Highland Heights 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. Anderson. Roll call on the motion: Ayes all; motion carried. Council adjourned at 8:30 p.m. and reconvened at 8:42 p.m.

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

Clerk of Council

President of Council