
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: MAY 26, 2009**

President of Council Mills presiding.

PRESENT: Mayor Coleman; Councilmen Anderson, 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 Hovancsek; Finance Director Ianiro; Law Director Paluf.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held May 12, 2009 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mr. Anderson. Ayes all; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Chief Turner reported:

- Exterior Repairs of Fire Department. The front man door in the Fire Station was replaced as well as the rear sliding door. Both were part of the exterior repairs of the Fire Department. The Contractor will return to do tuck pointing of the west wall.
- B&C Communications, Inc. began installation of the MARC's radios today in the vehicles. They are scheduled to return June 1st to start installation in the Dispatch Center.

Police Chief's Report: Chief Cook reported the jail facility reopened on May 15th. All work has been completed and they are fully functional.

In response to Mr. Mills' inquiry regarding an incident involving a deer which occurred on Ford Road on Monday, Chief Cook advised they have a contract with Gregg Miller Animal Services. He will check out this incident.

Service Director's Report: Service Director Evans reported as follows:

- Brush collection. This program continues through June 12th. They have picked up brush at over 600 locations this season.
- Pool Painting Project. This project is now complete. The Recreation Director had some pool staff people in over the weekend doing some decorations in the kiddy pool area. They expect to fill the pool later this week.
- Road Salt. The State of Ohio opened bids for Road Salt. This year they received bids for all 88 counties. The low bidder in Cuyahoga County was Cargill at a price of \$43.53 which is a little more than a 10% increase over the previous year.

In response to Mr. Pilla's inquiry as to how much salt is left over from last year, Mr. Evans stated, about 2000 tons. Mr. Evans further advised they would have filled the bin but were cut off once their maximum allowable limit was reached. More salt could have been purchased but not at the negotiated price. Mr. Evans explained that he tells the State how much the City will use for a year; he has advised 4200 tons which is the average used for the last five years. Under the new contract, they are required to purchase 80% of that and are allowed to purchase up to 120% at that price. If they exceed the 120%, it would be at another negotiated price. Mr. Evans stated the only reason they exceeded it last year was filling the new salt dome; actually their salt usage was down for the season.

Building Commissioner's Report: No report.

City Engineer's Report: City Engineer Hovancsek reported:

- Highland-Bishop Intersection Project. The contractor, Tri-Mor, has been doing work on landscaping the improvements continuously for the last couple weeks.
- Highland Road Pedestrian Project. This project should be completed, weather permitting, this week. The quantities will be looked at this week because there will be some overruns on some of the material.
- Highland Heights Community Park. The contractor was notified a few weeks ago to do some additional seeding which he did. Some seed took and some didn't. The contractor was told a couple weeks ago that the City would use some of their bond money and reseed the area that didn't take. That should be happening relatively soon.
- 2009 Street Striping Program. The street striping plans and specs have been prepared. This project is out to bid and bids are due June 5th.
- Drainage Projects. Two drainage meetings were held on two different sites on Millridge. They are getting permission to shoot some topos on both sights and will prepare a report for Council.
- 2009 Sidewalk Repair Program A recommendation was submitted which Council discussed earlier this evening.

Finance Director's Report: No report.

COMMITTEE REPORTS:

Park and Recreation Commission: Mr. Anderson reported the following items were discussed in a meeting held Thursday, May 21st at the park:

- Renovation of Old Pool Building. Mr. Anderson presented Mr. Austin with a set of blue prints from Architect Henry Piper for his review; and advised, after Mr. Austin has reviewed the drawings for compliance with city codes, then City Engineer Hovancsek will prepare the bid packages for bidding.
- Today, stainless steel crosses for the pool were received. There has been a problem in that the paint does not stick. They are looking at this new material for the crosses. They want to see how these crosses hold up in the chlorine water.
- The Pool will open Friday, June 12th.

- The Whiteford Park sign has been ordered. Mr. Anderson asked Mr. Evans for the status of obtaining a street light for Whiteford Park.
- Spring Tennis, the early bird session, starts this Saturday for four weeks.

Regarding the old pool building, Mr. Mills stated he thought the specifications were to be completed by the architect. Mr. Anderson advised the specifications are listed on the blue prints completed by the Architect; however, the bid package also is to include additional information such as prevailing wage information, ADA Compliance, etc.; and Mr. Hovancsek would put together the bid package.

Mr. Mills referred to a memo dated May 19th from Mr. Evans which included a report by RWL Architects and asked questions about including information on the sufficiency of the existing building. Some Council Members did not receive the memo. Copies will be made for Council Members and discussion will continue in the next Committee of the Whole Meeting. Mr. Anderson will forward Mr. Evans' memo to Henry Piper.

Mrs. Murphy suggested a project manager is needed for this project.

Mayor Coleman appointed Mr. Evans and Mr. Austin as project managers for the renovation of the old pool building.

Mrs. Murphy then suggested that soil samples should be obtained and asked Mr. Hovancsek's opinion. Mr. Hovancsek stated it would be advisable if they were going to spend a significant sum of money (this project was estimated at between \$100,000 and \$150,000) to get soil borings in the area to make sure that the foundation is not going to settle because the design of the foundation is based on the soil conditions in the area. Mrs. Murphy suggested the City Engineer look at the plans and then report back to Council.

Mr. Austin will have copies of the plans made by the Engineer's office for Council to review at the next Committee of the Whole Meeting.

Regarding installation of a street light at Whiteford Park, Service Director Evans reported that the Illuminating Company has advised they would have to pull new underground cable from the transformer at the intersection of Whiteford and Sandhurst to the new pole location. He discussed that with Recreation Director Dave Ianiro who thought those costs might be excessive; they are looking at other options.

Mayfield Area Recreation Council (MARC): No report.

Planning and Zoning Commission: No report.

Legislative & Finance Committee: Mr. Lombardo reported a meeting was held May 19th at 7:00 p.m. to review two items:

- Item 10 on tonight's agenda, the appointment of the City Engineer. The legislation that was given to them to review was set up for a two year appointment through the end of 2010. Normally the appointment was for one year. The idea was to lock in the rates for two years instead of one year. L&F recommends that the contract remain one year to the end of 2009 and that if reappointed the rates will remain the same as 2009. They also recommended that the name of the representatives, Stephen J. Hovancsek and

Brian Mader be made part of the legislation. Everyone at the meeting was agreeable, the Mayor and Mr. Hovancsek were present.

- Another item was an invoice from Reminger and Reminger from last year. L&F reviewed this and found the bill was acceptable so it can be paid.

Mr. Anderson stated he thought they had already discussed that they would hire Hovancsek & Associates for two years. Mr. Legan stated in the L&F Meeting he made the same observation as Mr. Anderson and that they had discussed that it is important to lock in the rate for the period of time.

Mayor Coleman stated the intention of the legislation the way it reads was to legislate what they discussed in having the rates be consistent though 2010. Mayor Coleman also stated, with respect to the L&F Meeting, he did not agree to change the wording but he did say that they are entitled to make amendments if they want. His reason for requesting the two year contract was to lock in the rates as they discussed, for 2010.

Law Director will prepare an amendment to the legislation regarding appointment of the City Engineer.

Safety & Service Committee: No report.

Hillcrest Council of Councils: Mr. Hargate advised the next meeting is Saturday, May 30th, at 10:00 a.m. at Executive Caterers and the speaker is Jane Platten, Director of the Cuyahoga County Board of Elections. Mr. Hargate advised that if any appointed or elected official would like to attend, he would be happy to schedule that for them.

Commission on Aging: Mr. Hargate reported as follows:

- The Health Fair was held May 13th. There were 115 attendees, 18 booths and 28 representatives. Mr. Hargate noted, for the record, that Mary Velotta does a great deal of work on the Health Fair each year; he commended her for her efforts.
- The Tax Assistance Program was held February through April of this year. There were 125 participants and 42 of those individuals were from Highland Heights.
- The Volunteer Luncheon Program was held April 22nd. 115 senior honorees were recognized and 15 were from Highland Heights.

Drainage Committee: Mrs. Murphy reported a meeting was held this evening to review two ongoing drainage investigations regarding two residential properties. The Engineer will be performing some grade surveying in order to make some recommendations for corrective action.

Airport Noise Abatement Council: Mrs. Murphy reported she attended a meeting May 13th at the airport. Several of the airport businesses and the three cities, Highland Heights, Willoughby Hills and Richmond Heights have representation on that council. Councilman David Reichel from Willoughby Hills was elected chairman of the Noise Abatement Council. Discussion will continue; they will formulate a joint statement of cities and operated businesses out of the airport in order to address the noise environment that the airport creates. That will be done through abatement procedures, flight patterns, and airport hours of operation -- trying not to use the airport between the hours of 11 and 7. The Chairman recommended the council meet more

frequently so they will meet quarterly now instead of twice a year. Mayor Coleman will be getting notice of that.

Home Days Committee: No report.

Economic Development Committee No report. :

Law Director's Report: Law Director Paluf recommended that Agenda Item 3 be passed this evening because Attorney Marcia E. Hurt has begun doing work on an issue.

MAYOR'S REPORT: Mayor Coleman reported that he was in Washington on May 14th and 15th attending Congressman LaTourette's elected official's conference. He noted some of the highlights of that conference.

- A Thursday evening dinner meeting with Congressman LaTourette was held at the new Capitol Visitor Center. Mayor Coleman noted that the visitor center was originally designed to cost about 270 million dollars and was to be ready for President Bush's second inauguration. It cost over 850 million dollars and was just barely ready for President Obama's inauguration. It is a beautiful facility and a visit to the Capitol in Washington is made easier through the visitor center.
- Friday morning the conference and meetings began. One speaker talked about businesses going green with their construction and landscaping; and, federal assistance and guidance that is available. Some interesting information was provided.
- There was also a speaker about the economic stimulus package and how it may or may not affect the cities. They gave some examples of larger and medium size cities that are affected by it. Unfortunately Highland Heights didn't fall into a lot of the categories.
- Congressman LaTourette who is on the appropriations committee advised that he put 1.17 million dollars in the appropriations for the Miner Road Project that will be in the transportation bill. The bill needs to be passed by October 2009. The likelihood of our city getting that money is close to 100%. Mayor Coleman suggested Council schedule discussion on applying for Issue I money for that project
- On Friday afternoon, they met with the FAA with members of Willoughby Hills' administration and Council, members of Richmond Heights Council and Mayor Rinker of Mayfield Village. Basically the next step is when they do the environmental study that is where we will have our most input on whether or not the expansion is a needed project.
- Highland Road Water Main Study. Service Director Evans has requested that Brian Mader from Steve Hovancsek's office review the history of water main breaks on Highland Road. Mayor Coleman requested discussion in a future Committee of the Whole Meeting.

Council President's Report: Council President Mills reminded everyone that a Town Hall Meeting is scheduled for Monday, June 1st at 7:30 p. m. in the Community Center. Scheduled to speak are Senator Tim Grendell and some representatives from NEOGAP.

ITEMS TO BE ADDED TO THE AGENDA:

Motion authorizing City Engineer to prepare plans and specifications for 2009 Sidewalk Repair Program and authorizing Clerk to advertise for bids.

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

MEETING OPENED TO THE PUBLIC:

Mr. Michael Barille, 922 Barkston Drive, advised he is a senior search student from Mayfield High School and is doing his internship here with Mrs. Murphy. Last week he attended a Public Records Training Seminar at Mayfield Village Community Center. As a part of his internship, he prepared a summary of the highlights of that conference. Mr. Barille requested permission to distribute a copy of his summary to all Council Members and also to have it recorded in the Minutes Record (copy attached).

Pastor Keith Grove of Hillcrest Baptist Church, 5631 Ridgebury Boulevard introduced himself to the Mayor and Council. Pastor Grove stated he was very pleased to be here this evening and offered his help as Chaplin to the Police or Fire Departments or to anyone who needs services.

Assistant Building Commissioner Austin advised that Pastor Grove has taken over the Baptist Church on Ridgebury. He has been a member there for 25 years and as of January 1st, he is the pastor. Mr. Austin further advised the City has been involved in the parking lot and cleaning up of the property so he invited Pastor Grove to come tonight to introduce himself to council.

Mr. Thomas A. Hughes, 957 Millridge Road, Highland Heights, addressed Council. Mr. Hughes stated he has a problem with the enforcement of the rubbish ordinance which prohibits people from putting their trash on the curb prior to 6:00 p.m. on the day preceding the pickup. This past weekend there was a holiday on Monday and no rubbish pickup. He was concerned to see rubbish out on Sunday and Monday.

Council President Mills referred this to Mr. Austin.

NEW BUSINESS:

MOTION AUTHORIZING CITY ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR 2009 SIDEWALK PROGRAM AND AUTHORIZING CLERK TO ADVERTISE FOR BIDS:

A motion was made by Mr. Anderson authorizing the City Engineer to prepare plans and specifications for the 2009 Sidewalk Repair Program and authorizing the Clerk to advertise for bids; seconded by Mr. Lombardo. Ayes all; motion carried.

MOTION AUTHORIZING PAYMENT TO REMINGER & REMINGER: A motion was made by Mr. Legan authorizing payment to Reminger & Reminger in the amount of \$13,603.60 for services rendered through December 31, 2008; seconded by Mr. Anderson. Ayes all; motion carried.

MOTION AUTHORIZING TRAFFIC IMPACT STUDY: A motion was made by Mr. Hargate authorizing a Traffic Impact Study of the Wilson Mills/Bishop Intersection to be completed by Stephen Hovancsek & Associates, Inc., at a cost not to exceed \$6,374.00; seconded by Mr.

Pilla. Mr. Hovancsek estimated the study could be completed in two to three weeks. Ayes all; motion carried.

ADOPTION OF RESOLUTION 22-2009: Council listened to the First Reading in title only of Proposed Resolution 22-2009 which description is: "A Resolution retaining Marcia E. Hurt, Attorney at Law, to provide legal services to the City of Highland Heights pertaining to grievance procedures in the Fire Department, and any proceeding related thereto and declaring an emergency." Law Director Paluf recommended approval this evening. Mr. Lombardo moved to suspend the Second and Third Readings; seconded by Mr. Hargate. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Lombardo. Ayes all; motion carried.

FIRST READING PROPOSED RESOLUTION 23-2009: Council listened to the First Reading in title only of Proposed Resolution 23-2009 which description is: "A Resolution authorizing the Finance Director to make a payment to Diskcopy, LLC from nontax revenues in the amount of \$2,349.00 pursuant to the Economic Development Grant Agreement dated November 27, 2007, and declaring an emergency."

FIRST READING PROPOSED RESOLUTION 24-2009: Council listened to the First Reading in title only of Proposed Resolution 24-2009 which description is: "A Resolution authorizing the Finance Director to make a payment to Philips Medical Systems (Cleveland), Inc. from nontax revenues in the amount of \$20,000 pursuant to the Economic Development Grant Agreement dated November 27, 2007, and declaring an emergency."

FIRST READING PROPOSED RESOLUTION 25-2009: Council listened to the First Reading in title only of Proposed Resolution 25-2009 which description is: "A Resolution authorizing the Finance Director to make a payment to Stanley Air Tools from nontax revenues in the amount of \$56,000.00 pursuant to the Economic Development Grant Agreement dated June 28, 2002, and declaring an emergency."

FIRST READING PROPOSED RESOLUTION 26-2009: Council listened to the First Reading in title only of Proposed Resolution 26-2009 which description is: "A Resolution authorizing the Finance Director to make a payment to Swagelok Company from nontax revenues in the amount of \$250,000.00, pursuant to the Economic Development Grant Agreement dated June 30, 2005, and declaring an emergency."

FIRST READING PROPOSED RESOLUTION 27-2009: Council listened to the First Reading in title only of Proposed Resolution 27-2009 which description is: "A Resolution authorizing the Finance Director to make a payment to WLS Stamping Company from nontax revenues in the amount of \$21,737, pursuant to the Economic Development Grant Agreement dated April 11, 2006, and declaring an emergency."

FIRST READING PROPOSED ORDINANCE 10-2009: Council listened to the First Reading in title only of Proposed Ordinance 10-2009 which description is: "An Ordinance approving a payment to the Mayfield City School District pursuant to the requirements of Ohio Revised Code Section 5709.82 and in connection with the City's Community Reinvestment Area and Urban Jobs and Enterprise Zone Programs, and declaring an emergency."

SECOND READING PROPOSED RESOLUTION 21-2009: Council listened to the Second Reading in title only of Proposed Resolution 21-2009, providing for the employment of an engineer for the City of Highland Heights and establishing the compensation of the City Engineer for 2009, repealing all legislation inconsistent herewith and declaring an emergency."

ADOPTION OF RESOLUTION 20-2009: Council listened to the Third Reading in title only of Proposed Resolution 20-2009 which description is: "A Resolution authorizing the Mayor to enter into a contract with the Walter H. Drane Company for the quarterly updating of the Codified Ordinances of the City of Highland Heights, Ohio and declaring an emergency." Mr. Hargate moved to adopt; seconded by Mr. Legan. Ayes all; motion carried.

COMMITTEE OF THE WHOLE: The Committee of the Whole Meeting for June 2, 2009 was cancelled and rescheduled for June 9, 2009 at 7:30 p.m.

ADJOURNMENT: A motion was made by Mr. Pilla and seconded by Mr. Anderson to adjourn the meeting. Said meeting adjourned at 8:50 p.m.

Clerk of Council

President of Council