
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: OCTOBER 27, 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 October 13, 2009 was dispensed with. Mr. Anderson requested a correction on page 4 in the MARC report to show that he was present for the meeting. Mr. Anderson moved to accept the Minutes as corrected; seconded by Mr. Legan. Ayes all; abstain Pilla; motion carried.

The reading of the Minutes of a Special Meeting held October 20, 2009 was dispensed with. Mr. Lombardo moved to accept the Minutes as written; seconded by Mr. Legan. Ayes all; motion carried.

The reading of the Minutes of a Committee of the Whole Meeting held October 6, 2009 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mrs. Murphy. Ayes all; abstain Pilla; motion carried.

MAYOR'S APPOINTMENT: Patrolman Jeffrey Prosuch. Patrolman Jeffrey Prosuch was sworn in by Mayor Coleman.

Chief Cook provided background on Jeffrey Prosuch. He stated Jeff graduated from Eastlake North High School; received an associate degree in Law Enforcement from Lakeland Community College; graduated from the Cleveland Heights Police Academy in 2006; was hired by the Highland Heights Police Department as a part time reserve officer in 2007; and has been working with Highland Heights for two years. Jeffrey took the entrance exam this year with 100 candidates and placed No. 1 on all rankings in that exam. Chief Cook stated Jeffrey Prosuch is the number 1 candidate and he is happy to have him sworn in tonight.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Chief Turner reported:

- This past Saturday the Fire Department hosted their annual Open House. This began about 1995 and has grown over the years. The Open House was well attended. Chief Turner thanked those who were able to attend and those who participated in helping.
- On September 22nd of this year they had a structure fire at 615 Lander. Shortly after this fire they discovered the film in the camera which was purchased two years ago was not working properly. The camera was sent back to the manufacturer and it was found

to need extensive work, about \$4,700. This was discussed tonight with L&F. Chief Turner stated it is his recommendation to make those repairs. To purchase a new camera would cost about \$11,000. In talking with the manufacturer, essentially everything inside will be new. They are working with the Law Director to see if they can get reimbursement from insurance.

- MIPOD (Mass Inoculation Point of Dispensing). The Fire Department assisted by the Police and Service Departments continue to work toward the MYPOD scheduled for November 8, 2009. The MYPOD is a mass inoculation point of dispensing. If there is ever a need for mass dispensing of anything the MYPOD group can do that. Part of that exercise is the seasonal flu vaccination but as they go forward with the H1N1 they may in fact be doing a dispensing of that as well. They continue to work with the Board of Health and receive updates on a daily basis.

Mr. Mills complimented the Fire Department on the Open House which he attended. He stated it was very educational and informative.

Police Chief's Report: Chief Cook reported during the last couple weeks he has been working with Chief Turner and TAC Computer on the installation of the 911 Mapping System. They did order the computers. They ran into a glitch with the software and hope to have that operational within the next two weeks.

Their CALEA (Commission for Accreditation for Law Enforcement Agencies, Inc. assessment is scheduled for December 6th, 7th and 8th. During the last month they brought in Kent State Police Department to do a mock assessment and an internal audit of the department. They made some recommendations. Chief Cook stated he believes they are on schedule to do very well.

Service Director's Report: Service Director Evans reported the seasonal leaf collection program is doing very well. All three machines are out this week. The leaves are finally hitting the ground so from their point of view the sooner the better. He thought they are on approximately a 4 to 5 day schedule right now which means that wherever they were on Monday, at the end of Thursday or Friday they will complete the cycle and will start over again.

Mr. Mills asked if they will start Saturdays. Mr. Evans advised, very likely. They want to get the leaves up as quickly as possible and it is much more economical to spend the over time as quickly as they can because they can move at a quicker pace than when the leaves get wet and matted down in the snow.

Mayor Coleman noted a couple points on leaf pickup:

- Right now they are on a four or five day schedule. When in full swing what do you expect that schedule to be? Mr. Evans advised they hope that the worst case scenario is ten days. Mayor Coleman asked Mr. Evans to update Council on the leaf schedule so Council Members are able to help out with that communication.
- Mayor Coleman stated residents should be reminded that they really should not be putting grass clippings in with their leaves because that hurts the equipment, bogs things down and takes longer.
- Mr. Evans asked that people be told to keep the leaves on the tree lawns because once those leaves are in the street they are a hazard for traffic, they get wet, and they

get matted down which slows their operation down and creates a snow ball effect. It is very tasking on the equipment, they start getting equipment failures. For that reason they will work with overtime as quickly as they can because the light fluffy leaves are much easier to pickup than the ones they have to drag and kick and shovel.

Mayor Coleman advised every year he is asked why they don't use a front end loader and rake the leaves into that. Mr. Evans advised, it is less efficient. He added that, for our community with the size of our tree lawns and the way our streets are laid out, the vacuum equipment is our best scenario. He further advised that they are in good shape now with regards to the amount of equipment they have; they are fortunate that over the years they have built that up. Mr. Evans advised in his first year here they ended up the season borrowing two pieces of equipment from Mayfield Village just to finish the program.

Mayor Coleman asked Mr. Evans to put an article on the website to update the cycle time

Building Commissioner's Report: No report.

City Engineer's Report: City Engineer Hovancsek reported

- The 2009 Road Repair Program is moving along. Esther Road was paved and the curb under drains and restoration work should be finished this week. The asphalt work on Kenbridge Drive is scheduled for tomorrow, weather permitting.
- The 2009 Sidewalk Repair Program. The sidewalks have all been checked; a report will be completed later this week.
- Highland-Bishop Intersection. A meeting was held last Friday with the contractor. The two drive aprons that were in question will be repaired within the next two weeks by the contractor at his cost. The balance of the work that needs to be done will be done in the spring because it is late in the season. TriMor has not submitted their bond; they have once again asked TriMor to submit their bond.

In response to Mr. Mills' inquiry regarding Ridgebury Boulevard, Service Director Evans reported the paving should be done this week. There is striping and restoration to be finished. Mr. Evans commented that it looks nice and the County did a nice job.

Mrs. Murphy asked Mr. Hovancsek if when he referred to the two driveways that will be corrected, are those the driveways that she brought to his attention that have to do with the grade. City Engineer Hovancsek stated, yes, and those will be corrected.

Mr. Hargate asked City Engineer Hovancsek to keep an eye on the restoration on Ridgebury near West Mill because he had some comments from residents about that.

Finance Director's Report: No report.

COMMITTEE REPORTS:

Park and Recreation Commission: Mr. Anderson reported a brief meeting was held last Saturday. He advised the Halloween Party was held last Saturday. It was a great turnout with about 190 to 200 children coming through. They all had a good time and had a lot of fun. Dancing with your Neighbors is still going on at Team Energetics, with about 22 individuals. It is

going on for another four weeks and it is \$35 but they will pro rate the cost if anyone wants to join for the next four weeks.

Mayfield Area Recreation Council (MARC): No report.

Planning and Zoning Commission: Mr. Pilla reported the following action took place in a meeting held October 26, 2009:

- **Salvatore & Bernadette Amata, 620 Jefferson Drive.** Request for Variances to Fence Requirements. This was set for a public hearing.
- **Wren Bldg., Ltd., 835 Ford Road.** Final Ground Sign and Landscape Approval. Approval was given for a final ground sign with the removal of the old sign. It is basically just replacing the old sign to a new updated one.
- **Tuesday Morning, 773 Alpha Drive.** Final Approval of East (Rear) Elevation Building Sign. Approval was given. No variance was needed because he was under the sign requirements.

Legislative & Finance Committee: Mr. Lombardo reported a meeting was held at 7:30 p.m. this evening primarily to discuss Chapter 921 concerning the Park Rules as they apply to Whiteford Park. It was decided to amend the existing rules to include Whiteford Park and the Law Director will provide a rough draft of the amendment for the next meeting. The Police Chief also will review the rules particularly involving the parking situation on the cul-de-sac and will report back to the committee. The Fire Chief came in and requested \$4719 to repair the infra red imaging camera that was damaged in a fire. They have OK'd that expenditure and it is within his budget.

Safety & Service Committee: Mr. Hargate reported Safety & Service met last week on the 20th to consider a request from the Fire Department -- their memo dated October 8th. The request was for three MDT Computers; that was approved by the committee. Council added that to the agenda of the special meeting on October 20th and that was approved.

Commission on Aging: Mr. Hargate reported the Commission on Aging met October 19th. On the agenda this evening is a Resolution of Appreciation for Frances Sichko who is leaving after 17 years on the Commission on Aging. He requested Council approval of that resolution this evening.

Drainage Committee: No report.

Noise Abatement Council – Cuyahoga County Airport. Mrs. Murphy reported she did attend a meeting held this morning. The joint statement that she shared with all of council last week is not yet finalized. One important thing is that they did determine that the complaint process should be changed. Currently when a resident had a noise complaint from the airport they contacted the airport via email or telephone. The airport investigates and they call the resident to notify the resident of the outcome of their investigation and they also send the resident a follow-up letter again outlining the results of their investigation. What they decided was they thought it would be important that the cities also be notified. They will also be notified of the results of the investigation. Mrs. Murphy stated the airport is going to contact the three mayors

and ask how they would like to handle it. Everything can be done relatively easy in terms of email but they will be looking for a point person either the Mayor or someone on his staff to be involved in that.

Law Director's Report: Law Director Paluf reported that he and Mr. Evans did meet with J&J today. He is not sure how much headway they made. They expect to get back to him after they go back and meet internally.

MAYOR'S REPORT: Mayor Coleman reported:

- Regarding Agenda Item No. 2, a Resolution of Appreciation for Frances Sichko. Mayor Coleman advised she has been a member of the Commission on Aging for 17 years and has resigned from that position. As a result he appointed Mary Jane Kogan to take her place. This is actually the second time that Mary Jane will be serving the City on a committee. She was appointed by Mayor Swanson several years ago.
- Mayor Coleman thanked Mr. Hargate for organizing the debate on Issues 5 and 6 at the Hillcrest Council of Councils. He attended that and thought it was very worthwhile. Other members of council were there as well.
- Mayor Coleman acknowledged that St. Paschal Baylon received an award as a National Blue Ribbon School of Excellence for the 2009-2010 year. They will receive their award in Washington on November 2nd and 3rd from the United States Department of Education. Mayor Coleman stated very few schools in the United States receive this distinction and we are very proud that they are a member of our community.

ITEMS TO BE ADDED TO THE AGENDA:

Motion authorizing final payment to R. L. Hill Management Co. of \$5500 for work performed at the Highland Heights Community Center and entering into a Mutual Release regarding same.

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

MEETING OPENED TO THE PUBLIC:

Mrs. Mary Beth Rezek, 621 Gloucester Drive, spoke about a zoning issue. She provided background about herself and stated she is interested in buying the property on Highland Road, believed to be called Block A, a small brick building with an I-shaped property which housed a storm sewer and which was built for the Glen Eden neighborhood. It was sold at foreclosure recently and is up for sale. Mrs. Rezek stated she would like to purchase the building and fix it up to be a small massage studio.

Council President Mills advised Mrs. Rezek that she should contact the Building Department and then present her request to the Planning and Zoning Commission.

Mrs. Amy Feran, 5650 Hawthorne Drive, stated she is here as a representative of LOGS (Love our Green Space). She advised there is a hearing tomorrow in Columbus on the Oil and Gas bill. Mrs. Feran referred to a Resolution on the agenda this evening urging a moratorium on gas

and oil well drilling, advised she will be attending that hearing and offered to present that resolution at the hearing.

NEW BUSINESS:

MOTION AUTHORIZING PAYMENT: A motion was made by Mr. Lombardo authorizing final payment to R. L. Hill Management Co. of \$5500 for work performed at the Highland Heights Community Center and entering into a Mutual Release regarding same; seconded by Mr. Legan. Ayes all; motion carried.

ADOPTION OF RESOLUTION 45-2009: Council listened to a Reading in title only of Proposed Resolution 45-2009 which description is: "A Resolution of Appreciation to Frances Sichko for her years of dedicated service to the City of Highland Heights, Ohio as a member of the Highland Heights Commission on Aging." Mr. Hargate moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

ADOPTION OF RESOLUTION 46-2009: Council listened to the First Reading in title only of Proposed Resolution 46-2009 which description is: "A Resolution urging the State to place a moratorium on Oil and Gas Well Drilling in heavily populated residential areas until amendments to the Ohio Revised Code with respect to drilling have been made and declaring an emergency." Mr. Hargate moved to suspend the Second and Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Hargate moved to adopt; seconded by Mrs. Murphy. Ayes all; motion carried.

ADOPTION OF RESOLUTION 47-2009: Council listened to the First Reading in title only of Proposed Resolution 47-2009 which description is: "A Resolution authorizing a contract with the Cuyahoga County General Health District for the Public Health Services to be rendered during the Year 2010, to direct the Cuyahoga County Auditor to credit the consideration payable under said contract to the District Health Fund of Cuyahoga County, and to deduct equivalent sums from tax settlements due the City of Highland Heights and declaring an emergency." Mr. Lombardo moved to suspend the Second and Third Readings; seconded by Mr. Anderson. Ayes all; motion carried. Mr. Hargate moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

ADOPTION OF RESOLUTION 43-2009: Council listened to the Second Reading in title only of Proposed Resolution 43-2009 which description is: A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies to be placed on the 2009 Tax Duplicate of the City of Highland Heights, Ohio and certifying the same to the County Auditor, and declaring an emergency." Mr. Lombardo moved to suspend the Third Reading; seconded by Mr. Hargate. Ayes all; motion carried. Mr. Lombardo moved to adopt; seconded by Mr. Legan. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 21-2009: Council listened to the Second Reading in title only of Proposed Ordinance 21-2009 which description is: "An Ordinance authorizing transfers and declaring an emergency." (Recreation and Capital Improvement Fund) Mr. Anderson moved to suspend the Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Anderson moved to enact; seconded by Mr. Hargate. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 22-2009: Council listened to the Second Reading in title only of Proposed Ordinance 22-2009 which description is: "An Ordinance authorizing transfers and

declaring an emergency.” (Police and Fire Pension Funds) Mr. Anderson moved to suspend the Third Readings; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Anderson moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

FUTURE MEETINGS: Council President Mills announced that Council will not meet next Tuesday, November 3rd because that is Election Day. Also he scheduled a Committee of the Whole Meeting for Tuesday, November 10th at 7:30 p.m. if needed.

MOTION TO ADJOURN: A motion was made by Mr. Pilla and seconded by Mr. Anderson to adjourn the meeting. Said meeting adjourned at 8:37 p.m.

Clerk of Council

President of Council