
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: NOVEMBER 10, 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; Assistant City Engineer Mader; Finance Director Ianiro; Law Director Paluf.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held October 27, 2009 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mr. Pilla. Ayes all; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Fire Chief Turner reported:

- The Fire Department responded to 166 calls during October. This included a fire in a garage on Leverett which was confined to two garbage cans. The family's dog alerted the family to the fire which resulted in quick response and the fire was contained.
- Three of the four MDT terminals are in place. The fourth one will be for one of the trucks. TAC Computer has installed the software. The MDT's are working very well. Chief Turner thanked Council for supporting that project.
- This past Sunday the MIPOD (Mass Inoculation Point of Dispensing) exercise was completed. The turn out was not as great as expected but they did get a chance to run through the process and try to figure out where improvements are needed. Chief Turner thanked the Police and Service Departments and Judy Dick of the Community Center for supporting that event.
- At a meeting yesterday at the Board of Health, there was word that there will be a live exercise this week in this area with actual dispersion of H1N1 vaccines. That will be announced tomorrow. When word of the date is received he will release that information.

Police Chief's Report: Police Chief Cook reported:

- Statistics for the month of October. The Police Department responded to 903 calls for services. They responded to 52 residential alarms and handled 13 motor vehicles accidents with 1 involving an injury. Fifteen prisoners were held in their jail facility for approximately 300 hours.

- The Police Department is functional in all police vehicles with their 911 tracking and mapping system. They hope to have the Fire Department in full service within the next couple days. The system seems to be working very well.
- This morning Chief Cook and Lieutenant Visoky met with Mr. Bednar, Principal of St. Paschal Baylon School and the Assistant Principal. They have been working with them for the past week and have done a traffic study on some problems they had with residents and parents dropping off students. Some recommendations were provided which they were happy with.

Mrs. Murphy reported she had an inquiry from a resident about the possibility of the placement of deer crossing signs at locations where there have been incidents of deer hit by vehicles such as Highland Road near the Richmond Heights border. Chief Cook will look into this and will make a recommendation. He advised they also have had incidents on Miner and Bishop Roads near Willoughby Hills.

Service Director's Report: Service Director Evans reported two items:

- Leaf Collection. This program is going extremely well. Based on prior collections, they are about 70% complete already and it is still two weeks away from Thanksgiving. They are currently on a seven or eight day schedule to get around the city. At the Mayor's request they put information on the City's web site with the current cycle time. Hopefully that will give the residents some idea of when to expect a pickup in their neighborhood.
- Ridgebury Boulevard Project. Mr. Evans reported he worked with the State of Ohio and the County Engineer's office today and they did a final walk thru on the Ridgebury Project. There are a couple extremely minor items on the punch list that the contractor will take care of. Mr. Evans thanked the County because the project came off very well. Also they did a good job of working with the Police and Service Departments in maintaining traffic and the contractor did a nice job. That project is now completed.

Mrs. Murphy asked for an update on the street tree program. Mr. Evans reported that program was awarded to Frate Landscaping. The contractor has been given the master list of locations; he believed they have ordered the trees; and, they have called the utility to begin having the tree lawns marked for utilities so they can safely do their augering. They will also be planting additional trees on the mound behind the service department to help screen out the salt dome building. Additionally a number of pine trees on that mound were not accepted. Everyone is waiting for the trees to go dormant before they take them. This warm weather may be slowing that down. He expected both those things to take place in the next 30 days.

Mr. Mills asked if someone loses a tree lawn tree should they contact Mr. Evans to get on the list for the next year's program. Mr. Evans, advised, yes, and added that Council budgets \$10,000 a year for miscellaneous replacements of street trees. That \$10,000 is in addition to the monies set aside for the newly developed streets where new home owners pay a fee that goes into the 504 Street Tree Fund to be used to make the initial purchase of trees.

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

- A pre-construction meeting is scheduled on Thursday with Lance Osborne, developer of the Shoppes at Alpha, to start relocating the north drive entrance on Alpha Drive for the Shoppes of Alpha.
- Plans for Drug Mart have not been finalized.
- Home Depot is doing a major renovation on their restrooms. The two trailers in front of the garden center are temporary restrooms.

Mr. Mills advised, in talking to residents during the last two months, several residents pointed out building code violations. He asked that this be discussed in the next Committee of the whole Meeting. Mr. Austin requested a list of the violations before the meeting so he can be prepared.

Mayor Coleman suggested that, if possible, Mr. Illiano attend that meeting.

Mrs. Murphy asked for updates on a rumored gas well on Bishop Road or any other residential areas. Mr. Austin stated he has not received any new information and there are not as many calls coming in. He advised when they get calls from residents he has information for them.

Mayor Coleman advised that residents on Ford Road have been approached regarding a gas well.

City Engineer's Report: City Engineer Hovancsek reported as follows:

- 2009 Street Resurfacing Program. This program is complete. The contractor has submitted his invoice for review by the engineer.
- 2009 Sidewalk Repair Program. The evaluation has been completed. There are 2311 sidewalks that need work. About 57% of the walks have cracks that can be fixed with an approved caulking material. About 9.5% of the walks are the responsibility of the city because they involve street trees or manholes.
- Bishop-Highland Intersection Improvement. The contractor has submitted his maintenance bond so they will be processing some of the retainer money. Also the contractor has been working to alleviate some standing water at the corner of the intersection. There will be work needed in the spring for concrete block replacement in the walk area which has been discussed previously.
- Detention-Retention Basins. This report has been completed and has been submitted to the Drainage Committee and the Building Department.

In response to Mrs. Murphy inquiry about two driveway aprons that needed milling, Mr. Hovancsek advised that work was completed.

Finance Director's Report: Finance Director Ianiro reported that in a conversation with the folks at ODOT regarding reimbursement for the Highland Road Pedestrian Pathway, he learned they had to resubmit some paper work. Mr. Mader did sign the application for that and it has been resubmitted. ODOT has assured him the reimbursement of around \$446,000 will be sent to Highland Heights before year's end.

Mr. Mills asked Mr. Ianiro to explain if the Lyndhurst Court expansion will affect our city. Mr. Ianiro advised, if and when the court does expand, any capital improvements for the court are 100% the responsibility of the host city, meaning Lyndhurst and cannot be charged back to the other cities. He further advised any operational expense that the court incurs during the course of the year such as payroll, salaries, insurances, office supplies, things along those lines are shared among the six member cities based on case load.

COMMITTEE REPORTS:

Park and Recreation Commission: Mr. Anderson advised a meeting is scheduled for Thursday, November 19th.

Mayfield Area Recreation Council (MARC): Mr. Anderson reported a meeting was held November 5th. It was a short meeting with nothing to report.

Planning and Zoning Commission: Mr. Pilla reported at a meeting held November 9th the following action occurred:

- **Salvatore & Bernadette Amata, 620 Jefferson Drive.** Their request to grant variances to a fence requirement was withdrawn.
- **RTR Builders, Inc., 394 West Inverness Drive, Aberdeen Area "A".** Review Request to Relocate Garage Door Entry. Because there were a lot of questions this request was continued.

Legislative & Finance Committee: No report.

Safety & Service Committee: No report.

Commission on Aging: Mr. Hargate advised the Commission has a meeting scheduled for November 16th.

Drainage Committee: No report. Mrs. Murphy scheduled a meeting for November 24th at 7:00 p.m. to review the retention basin report submitted by the City Engineer's Office.

Mrs. Murphy asked Council to discuss in a Committee of the Whole Meeting the Jefferson Drive Sewer Lining Project. Mr. Evans will check with the County to see if a representative would be available to meet with Council on November 17th.

Mrs. Murphy reminded everyone that the Tri-City Consortium on Aging offers a free leaf raking program for senior citizens and they are still accepting applications. If anyone knows of a senior who may be in need of that service have them call Tri City Consortium.

Law Director's Report: Law Director Paluf reported today he attended the annual NOPEC Meeting where they elected officers as well as worked on their annual budget. There was a speaker, Mrs. Roberto, from the Public Utilities Commission. Some interesting figures were provided on what NOPEC has saved in electric and gas costs over the last few years and what they project over the next few years. Mr. Paluf will try to put together a written report. He asked that Council add to the Executive Session this evening discussion on labor negotiations.

MAYOR'S REPORT: Mayor Coleman two quick items:

- **Newsletter.** Mayor Coleman reminded everyone that they would like the end of the year newsletter to be delivered in mid December. The deadline is November 20th, a week from this Friday to submit articles to Diana Lydic, his Administrative Assistant. It will be a strict deadline because in order to get the Newsletter to the printer on time they will need the information by the deadline.
- A letter has been received from the Ohio Department of Transportation. They are planning to do a resurfacing project on the express lanes of I-271 from Mayfield Heights to the I-271 and I-90 split in the summer of 2010. They have asked Mayor Coleman to sign a letter that basically gives them a variance to any applicable city construction noise ordinances because they will be requiring work to be done at night to limit the traffic problems. Council will be provided with a copy of the ODOT letter. Mayor Coleman requested discussion in the next committee of the whole.

Council President's Report: Council President Mills requested that Council Members email him their topics by the weekend to prevent duplication. He invited all current and newly elected council members to write articles.

Student at Meeting. Council President Mills introduced Becky Rhodes a student from Notre Dame Cathedral Latin High School

ITEMS TO BE ADDED TO THE AGENDA:

A motion authorizing an increase in payment to J&J Refuse, Inc. to allow for the recovery of an increase of \$1.25 per ton State fee and \$1.25 per ton local host fee on the disposal of solid waste, equaling a monthly charge of \$0.18 per household per month effective August 1, 2009.

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

MEETING OPENED TO THE PUBLIC: No one spoke.

NEW BUSINESS:

MOTION AUTHORIZING PAYMENT TO J&J REFUSE: A motion was made by Mr. Lombardo authorizing an increase in payment to J&J Refuse, Inc. to allow for the recovery of an increase of \$1.25 per ton State fee and \$1.25 per ton local host fee on the disposal of solid waste, equaling a monthly charge of \$0.18 per household per month effective August 1, 2009; seconded by Mr. Anderson.

Discussion: Mayor Coleman reiterated that when the contract with J&J was signed he asked to have language put in the contract to have the opportunity to negotiate fees of this type. He stated, we have a contractor helping us provide the service to the residents; they bear no risk and we effectively bear 100% of the risk. It doesn't sit right and that is why he asked to have that language in the ordinance.

Vote on motion: Ayes Anderson, Hargate, Lombardo, Mills, Murphy, Pilla; nay Legan. Motion carried.

FIRST READING PROPOSED RESOLUTION 48-2009: Council listened to the First Reading in title only of Proposed Resolution 48-2009 which description is: "A Resolution accepting the Amended Final Plat for the Legends at Aberdeen Subdivision Residential Area "J" Phases I, II, III and IV and declaring an emergency".

MOTION TO ADJOURN INTO EXECUTIVE SESSION: A motion was made by Mrs. Murphy to adjourn into Executive Session to discuss pending litigation and labor negotiations 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. Hargate. Roll call on the motion: Ayes all; motion carried. Council adjourned at 8:26 p.m. and reconvened at 8:52 p.m.

AGENDA FOR COMMITTEE OF WHOLE 11/17/09, 7:30 P.M.

1. Building Code Violations
2. Possibly County – Relining of Sewers on Jefferson Drive
3. Letter from ODOT – resurfacing of I-271 Express Lanes.

ADJOURNMENT: A motion was made by Mr. Anderson and seconded by Mr. Pilla to adjourn the meeting. Said meeting adjourned at 8:52 p.m.

Clerk of Council

President of Council