
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: DECEMBER 8, 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 November 24, 2009 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mr. Lombardo. Ayes all; motion carried.

The reading of the Minutes of a Special Meeting held December 1, 2009 was dispensed with. Mr. Legan moved to accept the Minutes as written; seconded by Mr. Lombardo. Ayes all; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Chief Turner reported as follows:

- During November the Fire Department responded to a total of 120 calls, including a house fire in Mayfield Heights.
- Sunday, December 13th MIPOD in conjunction with the Cuyahoga County Board of Health will offer free H1N1 Vaccinations from 9 a.m. to 12:30 p.m. A rally point will be set up at the Community Center starting at 9 a.m. and everyone will be bused for the actual vaccination. The MIPOD is open to everyone.

In response to Mrs. Murphy's inquiry regarding notifying the public, Chief Turner advised the Board of Health will make announcements and they will look into doing a Code Red message a day or two before the event.

Police Chief's Report: Chief Cook reported for the month of November the Police Department responded to 875 calls for service. They handled 9 motor vehicle accidents with 1 involving a personal injury. Also, they responded to 51 residential alarms. Twenty-one prisoners were held in their jail facility for approximately 500 hours.

Chief Cook then announced that today they completed their assessment for accreditation for law enforcement. An assessor came in from the Commission on Sunday, December 6th. The assessor worked about 12 or 13 hours on Sunday; 12 to 13 hours on Monday; and completed his assessment of the department today. The assessor will forward a report to the Commission and then Chief Cook will appear before the Commission. The assessor interviewed Mayor

Coleman, Councilwoman Murphy and other personnel in the department. It seems that the department did fairly well.

Mayor Coleman added that he met with the gentleman on Sunday behind closed doors for a little over a half hour and answered some very pointed questions. Mayor Coleman advised the assessor had some extremely complimentary things to say about Chief Cook, his Executive Officer and the entire staff. Mayor Coleman congratulated Chief Cook and stated he has made a very good showing for the City.

Service Director's Report: No report.

In response to Mr. Mills' inquiry regarding the leaf collection, Service Director Evans reported the leaves have been substantially finished for two weeks now. A truck was out on Monday looking for straggling piles. Mr. Mills then inquired as to whether the Service Department is ready for an impending storm. Mr. Evans advised, yes, they had a light sprinkle last night where they went out and shook some dust off the equipment last evening. Tomorrow morning they are calling for rain changing to snow in the afternoon. Mr. Evans advised they are ready for that.

Building Commissioner's Report: No report.

City Engineer's Report: No report.

Finance Director's Report: Finance Director Ianiro reported in the Finance Department they are gearing up now for the year end, looking at adjustments and re-classifications for the end of the year close out so they can begin the budget process for 2010. The auditors will be back next week, looking to continue some field work on compliance issues. Lastly, because he believed this is the last meeting of the year, he requested that Items 5, 6, 7, and 8 be passed under suspension of the rules as they pertain to year end business and need to be submitted to the County prior to the year end.

COMMITTEE REPORTS:

Park and Recreation Commission: No report. Mr. Anderson advised the Children's Christmas Party is being held this Saturday, December 12th at 10:00 a.m. at the Community Center.

Mayfield Area Recreation Council (MARC): Mr. Anderson reported MARC did meet on December 2nd. Sign ups are on going but they are very slow. Floor Hockey will be starting in January for the younger kids. January 16th the high school kids will be starting. Cheerleading will be starting on the 23rd of January. NBA Basketball -- 234 signed up which is about 60 less than normal. However people are still signing up.

Mr. Anderson then reported one of the MARC Committee members advised his son, a junior in college in Vermont, was studying Arabic in Egypt this semester. Two months ago while jumping on a train, he slipped off the train and both his legs were amputated. The Egyptian government was very helpful, flew the father there in a private jet, and flew them home. The son is having prosthetic legs being made and his attitude is good; he is telling everyone that he is glad he is alive.

Planning and Zoning Commission: No report.

Legislative & Finance Committee: No report.

Safety & Service Committee: No report. Mr. Hargate asked that a meeting be scheduled for January 12, 2009 to review capital improvement requests.

Commission on Aging: Mr. Hargate reported the Annual Senior Holiday Party was held today at the Community Center with about 80 in attendance. Senior Coordinator Mary Velotta did a fantastic job with the party.

Drainage Committee: No report. Mrs. Murphy advised a meeting is scheduled for December 15th at 7:00 p.m. to meet with the Cuyahoga County representatives.

Law Director's Report: Law Director Paluf recommended that agenda Item No. 4 regarding the Park be referred to L&F for review. Also regarding agenda item No. 9, editing of codified ordinances, he talked with the Prosecutor and he is fine with the revision; Mr. Paluf suggested it is a good idea to pass it. Regarding agenda item No.1, Mr. Paluf asked Council to add personnel disciplinary matters to the executive session.

MAYOR'S REPORT: Mayor Coleman reported he received an email today from the Cuyahoga County Board of Elections advising that they will be holding a candidate and elected officials workshop on Saturday, January 9th. Seating is limited. Registration deadline is January 6th. There is no cost for the seminar.

Mayor Coleman also reported that today there was dedication at the Mayfield Board of Education for a rain garden which was created by students in the Excel Tech Horticulture Program. A rain garden is described in a notice by Laurie Uhlir as an attractive landscape feature with perennial native plants which don't mind getting wet, built in a saucer shape. Rain Gardens are designed to increase infiltration, allowing rain and snow melt to seep naturally into the ground. Basically they rerouted a downspout from the building so it would flow into an area where these plants were planted. Mayor Coleman had pictures of students creating the rain garden.

Council Presidents Report: Council President Mills reminded Council that next week they will caucus after the Committee of the Whole Meeting. He asked that all Council members, present and elected be in attendance. They will also discuss the details for the swearing in which will take place on January 5th.

Mayor Coleman requested Council meet in a Special Meeting following the Committee of the Whole to consider appointments for boards and commissions for next year.

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

MEETING OPENED TO THE PUBLIC: No one spoke.

NEW BUSINESS:

MOTION TO ADJOURN INTO EXECUTIVE SESSION: A motion was made by Mr. Lombardo to adjourn into Executive Session to discuss labor negotiations and personnel disciplinary 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 8:23 p.m. and reconvened at 9:16 p.m.

MOTION AUTHORIZING PAYMENT TO STEPHEN HOVANCSEK & ASSOCIATES: A motion was made by Mr. Lombardo authorizing payment in the amount of \$11,134.00 to Stephen Hovancsek & Associates for additional inspection fees for the Highland Road Pedestrian Facility Project; seconded by Mr. Hargate. Ayes all; motion carried.

ADOPTION OF RESOLUTION 50-2009: Council listened to the First Reading in title only of Proposed Resolution 50-2009 which description is: "A Resolution retaining James A. Budzik and Mansour, Gavin, Gerlack & Manos Co., L.P.A. to provide legal services to the City of Highland Heights pertaining to employment matters, and any administrative and/or legal proceeding related thereto, and declaring an emergency." Mr. Pilla moved suspend the Second and Third Readings; seconded by Mrs. Murphy. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Lombardo. Ayes all; motion carried.

FIRST READING PROPOSED ORDINANCE 27-2009: Council listened to the First Reading in title only of Proposed Ordinance 27-2009 which description is: "An Ordinance amending Sections 921.01, 921.02 and 921.05 of Chapter 921 of the Codified Ordinances of the City of Highland Heights pertaining to the Community Park and repealing all legislation inconsistent herewith." Council President Mills referred Proposed Ordinance 27-2009 to the L&F Committee for review.

ADOPTION OF RESOLUTION 49-2009: Council listened to the Second Reading in title only of Proposed Resolution 49-2009 which description is: "A Resolution requesting the Cuyahoga County Auditor to advance taxes from the proceeds of tax levies and declaring an emergency." Mr. Lombardo moved to suspend the Third Reading; seconded by Mr. Legan. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Mr. Pilla. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 23-2009: Council listened to the Second Reading in title only of Proposed Ordinance 23-2009 which description is: "An Ordinance appropriating funds for current expenses and other expenditures of the City of Highland Heights, Ohio, for the period commencing January 1, 2010 and ending March 31, 2010, and declaring an emergency." Mr. Lombardo moved to suspend the Third Reading; seconded by Mr. Anderson. Ayes all; motion carried. Mr. Hargate moved to enact; seconded by Mr. Anderson. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 24-2009: Council listened to the Second Reading in title only of Proposed Ordinance 24-2009 which description is: "An Ordinance authorizing transfers and declaring an emergency. (General Fund to Capital Improvement Fund)" Mr. Hargate moved to suspend the Third Reading; seconded by Mrs. Murphy. Ayes all; motion carried. Mr. Lombardo moved to enact; seconded by Mr. Pilla. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 25-2009: Council listened to the Second Reading in title only of Proposed Ordinance 25-2009 which description is: "An Ordinance appropriating for current expenses and other expenditures of the City of Highland Heights, Ohio, for the period

commencing January 1, 2009 and ending December 31, 2009, and declaring an emergency.” Mr. Lombardo moved to suspend the Third Reading; seconded by Mr. Anderson. Ayes all; motion carried. Mr. Pilla moved to enact; seconded by Mr. Lombardo. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 26-2009: Council listened to the Second Reading in title only of Proposed Ordinance 26-2009 which description is: “An Ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of Highland Heights, Ohio and declaring an emergency.” Mr. Pilla moved to suspend the Third Reading; seconded by Mr. Anderson. Ayes all; motion carried. Mr. Pilla moved to enact; seconded by Mr. Anderson. Ayes all; motion carried.

ADOPTION OF RESOLUTION 48-2009: Council listened to the Third Reading in title only of Proposed Resolution 48-2009 which description is: “A Resolution accepting the streets and other public improvements shown on the subdivision plats for the Legends at Aberdeen Subdivision Residential Area “J” Phases I, II, III and IV and declaring an emergency.” Mr. Lombardo moved to amend consistent with a document dated 11/12/09; seconded by Mr. Pilla. Ayes all; motion carried. Mr. Pilla moved to adopt as amended; seconded by Mr. Anderson. Ayes all; motion carried.

COMMITTEE OF WHOLE MEETING AGENDA – DECEMBER 15, 2009

Cuyahoga County Sanitary Engineering Division -- Relining Sewers on Jefferson Drive

Discussion – Renovation of Old Pool House

SPECIAL MEETING AGENDA – DECEMBER 15, 2009:

Executive Session to discuss labor negotiations

Mayor’s Appointments

ADJOURNMENT: A motion was made by Mr. Pilla and seconded by Mr. Anderson to adjourn the meeting. Said meeting adjourned at 9:25 p.m.

Clerk of Council

President of Council