
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: APRIL 27, 2010**

President of Council Mills presiding.

PRESENT: Mayor Coleman; Councilmen Hargate, Legan, Lombardo, Mastrangelo, Mills, Murphy, Stickan; Clerk of Council Buchak; Fire Chief Turner; Police Chief Cook; Service Director Evans; Building Commissioner Grabfelder; City Engineer Hovancsek; Finance Director Ianiro; Law Director Paluf.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held April 13, 2010 was dispensed with. Mr. Lombardo moved to accept the Minutes as written; seconded by Miss Stickan. Ayes all; motion carried.

The reading of the Minutes of a Special Meeting held April 20, 2010 was dispensed with. Mr. Mastrangelo moved to accept the Minutes as written; seconded by Mrs. Murphy. Ayes all; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: No report.

Police Chief's Report: Chief Cook reported as follows:

- Three new police vehicles have been received; equipment changeover has been completed and the vehicles are in service. Tomorrow the three trade-ins will be picked up. Chief Cook noted that the cruisers did come in approximately \$12,000 under bid.
- The new computer server has been installed for the police facility. A couple minor software issues are being worked on. That also came in under the proposed budget.

Mrs. Murphy thanked Chief Cook and Service Director Evans for getting deer signs up along Highland Road.

Service Director's Report: Service Director Evans reported:

- The Brush Collection Program is continuing and will run through the first week in June. It is very popular, very well received and generates a lot of material. So far they have been able to keep up with it. When they receive a phone call they are usually able to make the collection within a couple days.
- Computer roundup is continuing through the end of April. They have generated a lot of computer related materials for recycling.
- Household Hazardous Waste Collection is under way. That began April 19th and will run through April 30th. Residents can bring oil based paints, stains, household chemicals, etc. for drop off. In the middle of next week, the Service Department delivers that

collection to the County Solid Waste District to a collection agency at a central collection point. The County will provide a specific time to deliver those materials.

- Municipal Complex Water Line Project. The Service Department completed asphalt repairs for the water line project; and the contractor was here over the weekend working on restoration of the grounds. Mr. Hovancsek advised tonight that some settlement has occurred on the landscaping and they have notified the contractor to return. In general that project is closed out.
- Pool Repairs. Mr. Evans met with Recreation Director David Ianiro this morning. They have determined the best solution is to re-caulk the entire pool and they have received proposals from two vendors to do that. He and Mr. Ianiro recommend that they go with Kapton Caulking & Building Restoration, Inc. for a few reasons: 1) Cost. The cost of the repair is \$4,000. 2) They have worked with this vendor before and are satisfied with their work. 3) Material. They are not familiar with the material the other contractor proposed. Kapton Caulking believes they can complete that work in time for the pool to open this year.
- Agenda Items Nos. 7 and 8 will receive third readings this evening. Those are equipment for the service department. Mr. Evans offered to answer any questions.

Mrs. Murphy asked if the pool repair would have to be done every few years. Mr. Evans stated, yes. He added that attached to his memo are the estimates from the two contractors and some detail of how that joint works. They recommend the best solution is to caulk the pool in its entirety and make sure it gets re-caulked every few years. Mrs. Murphy asked if they are confident this re-caulking will address the leaking water. Mr. Evans stated, yes.

Council President Mills thanked Mr. Evans for supplying information on sidewalk snowplowing equipment -- the Bombardier and the Trackless MT. Mr. Mills referred this for discussion in a future Committee of the Whole. He then inquired about the status of the new street signs project. Mr. Evans reported that they are probably close to two-thirds completed and it is their goal to complete that project before fall. Mr. Evans also reported the project has gone very well and they have received a lot of good, positive feedback.

Building Commissioner's Report: No report. Building Commissioner Grabfelder requested Council approval of Item No. 4 on the agenda which is the sidewalk program. He and the Engineer want to get this project going as soon as possible. By passing this they can send out the notices to the property owners and they have to give 60 days delay for the home owner to repair their sidewalks. Hopefully they can start this program some time after the fourth of July and can wrap it up before Labor Day.

City Engineer's Report: City Engineer Hovancsek reported that the balance of the information will be turned in this week on the 2010 Sidewalk Repair Program to the clerk. They would also like to see the sidewalk program moving along if possible. He reminded Council that the road program has been advertised and the bid opening is May 7th.

Service Director Evans added that, with the bids for the 2010 Street Repair Program coming in on May 7th, they would like to have the information for Council to look at the following Tuesday.

Finance Director's Report: No report.

COMMITTEE REPORTS:

Safety & Service Committee: Mr. Legan reported in a meeting held this evening the following items were discussed:

- Items 7 and 8 on the agenda, trucks for the Service Department, were discussed. They recommend that Council act favorably on those.
- Also they discussed equipment for the 5 ton truck. Mr. Evans has a proposal from Concord and is waiting for a proposal from Black Hill. He expects the Concord equipment to end up on the state bid list but we have to wait for that to happen. They will continue to evaluate that.
- They had a discussion regarding leaf removal and Mr. Evans is going to reach out again to a couple providers; they will continue to evaluate that.
- For the next meeting, they will review the body equipment again; the leaf disposal program; and, they have asked Mr. Evans to do a fuel cost comparison.

Home Day Committee: Miss Stickan advised Chuck Brunello, Chairman of our Community Day is present this evening. They are closer to finalizing details of that event. She and Mr. Brunello met with the Mayor and he has offered his support with respect to how they will shape the event. They have set Saturday, August 7th as the date and are looking forward to moving forward with that project and exploring various options.

Park and Recreation Commission: Mrs. Murphy reported a meeting was held April 15th. The Recreation Director shared that the sign ups are continuing and going well. They discussed in great depth the pool leak. They reviewed the 2010 budget for the City and discussed the old pool house renovation status which Council discussed last week in the Committee of the Whole Meeting. They are going to look at some potential grant money. Mrs. Murphy had a brief conversation with Engineer Brian Mader and he would like to meet with P&R at their meeting in May to brain storm about potential grant monies. She will speak to Mr. Dolciato about that. Relative to the P&R Improvement Fund and the question of matching funds, they did discuss that some more and Mrs. Murphy asked Finance Director Ianiro to provide them with a copy of a report or record indicating the matching funds. The next meeting of the Park & Recreation Commission is scheduled for May 20th and it is to be a walk-thru of the park. Mrs. Murphy also asked Mr. Ianiro if he received the requisition for the tennis shading as yet. Mr. Ianiro advised they received a requisition for the funbrellas and the mower but not for the tennis shading.

Mayfield Area Recreation Council (MARC): No report.

Drainage Committee: No report.

Legislative & Finance Committee: No report.

Planning and Zoning Commission: Mr. Mastrangelo reported a meeting was held April 26, 2010 as follows:

- **Woodie, 295 Bishop Road.** Motion to Grant Variance to Real Estate Sign Requirements. The applicant did not appear; this item was continued to the first meeting in May.

- **Wellington's Restaurant, 783 Alpha Drive.** Motion to Grant Variance from Use Regulations to Serve Liquor on Outdoor Patio.
- **Alpha Plaza Investments, 765 Alpha Drive.** Motion to Grant Variance to Sign Requirements to Display Leasing Sign at out lot Parcel. They were given a variance for a leasing sign.
- **Miller Homes, S/L C78, 171 Burwick Road, Aberdeen Area "I".** Approval of Design Modification to Previously Approved "C" Unit. Approval was given. There was a slight change because of the typography; they have a walk out basement so they had to come back in for re-approval.

Mr. Mastrangelo also reported, because of two items they have been talking about, the Commission will probably come to Council for two things. One is modification of the code to allow outdoor dining. They have had a lot of requests lately. In order for these businesses to be competitive, it might be worth taking a look at the code. A lot of things are controlled by the Board of Liquor Control so as long as they can meet their requirements, the City might be able to open up its standards to allow these establishments to have the out door dining.

Another item is they want Council to look at is "leasing" and "for sale" signs in both business and PCM areas. These signs default back to the real estate sign in the City's residential code which permits six SF and which is really not realistic for business property. The Commission will be coming back some time in the near future; Mr. Grabfelder is working on this.

Commission on Aging: No Report.

Law Director's Report: Law Director Paluf reported regarding Agenda Item No. 9, authorizing a contract to provide concession services in the park that they have added a sentence the Mayor requested. He advised that resolution can be approved this evening.

MAYOR'S REPORT: Mayor Coleman reported that the Cuyahoga County Board of Health gave the City of Highland Heights a resolution of appreciation for participation in the Tri-County Community Emergency Response Team with respect to our help in the Mi-Pod Vaccination. Mayor Coleman complimented the Fire Department for their efforts.

Council President's Report:

Council President Mills reported the Citywide Shredding Day was held. He thanked the Service Department, especially Bob who was there with Mr. Mills to take care of that event. Just a little over 3 tons of paper was shredded. They did a little over 8000 lbs the first time and 7000 the second and 6500 this time. With Chief Turner's help they did 500 lbs of the city paper while they were here.

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

MEETING OPENED TO THE PUBLIC:

Mr. Michael Granito, 640 Davidson Drive, addressed Council and stated his opposition to demolition of the former church building at 5775 Highland Road. He pointed out that he has been a resident for 26 years, he believed longer than anyone else on this current Council. Mr. Granito advised he was excited when they bought the property. He referred to an August 29,

2009 article in the Sun Messenger in which the Mayor was quoted as saying, if there was anyway the City can utilize that building he thought it needs to be explored. He asked if that is still the Mayor's position. Mr. Granito stated Mayor Coleman nodded his head so for the record, that is a yes. Other comments in that article, Councilman Murphy talks of concern about water damage on the roof, insulation is minimal and concern for mold; and the Council President was concerned there was no heat or power in the building. The only favorable comment at that time was from Mr. Legan, whose comment was; once the building is torn down it is gone forever. Mr. Granito stated he was disappointed when he heard that this Council wanted to tear the building down. He suggested the building could be used for a community theater and the building could be rented out to various groups to put on plays and to various musicians to perform. Mr. Granito also suggested that Council appoint a commission to explore possibilities and that they seek grants to renovate the building. Mr. Granito stated the truth hurts sometimes.

NEW BUSINESS:

MOTION TO CHANGE ORDER OF BUSINESS: A motion was made by Mr. Lombardo to change the order of the agenda to adjourn into executive session as the first order of business; seconded by Mrs. Murphy. Ayes all; motion carried. Department Heads were excused from the Meeting.

MOTION TO ADJOURN INTO EXECUTIVE SESSION: A motion was made by Mr. Legan to adjourn into Executive Session to discuss labor negotiations, pending and imminent litigation, compensation of public employee, purchase of property and investigation of complaint of public official 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 Mrs. Murphy. Roll call on the motion: Ayes all; motion carried. Council adjourned at 8:30 p.m. and reconvened at 9:47 p.m.

MOTION AUTHORIZING A CONTRACT WITH KAPTON CAULKING & BUILDING RESTORATION, INC. FOR REPAIR OF THE POOL: A motion was made by Mr. Lombardo authorizing a contract with Kapton Caulking & Building Restoration, Inc. for repairs to the pool in an amount not to exceed \$4,000.00 and in accordance with a quotation dated April 26, 2010; seconded by Mr. Legan. Ayes all; motion carried.

ADOPTION OF RESOLUTION 16-2010: Council listened to a Reading in title only of Proposed Resolution 16-2010 which description is: "A Resolution of Appreciation to RAYMOND HRVATIN (deceased)." Mrs. Murphy moved to adopt; seconded by Mr. Hargate. Ayes all; motion carried.

ADOPTION OF RESOLUTION 17-2010: Council listened to the First Reading in title only of Proposed Resolution 17-2010 which description is: "A Resolution authorizing settlement and dismissal of pending litigation and declaring an emergency in the case titled Tri-Mor v. City of Highland Heights." Miss Stickan moved to suspend the Second and Third Readings; seconded by Mrs. Murphy. Ayes all; motion carried. Mr. Lombardo moved to adopt; seconded by Mrs. Murphy. Ayes all; motion carried.

ADOPTION OF RESOLUTION 18-2010: Council listened to the First Reading in title only of Proposed Resolution 18-2010 which description is: "A Resolution declaring the necessity of repairing, replacing, and constructing sidewalks on various streets in the City pursuant to

Chapter 910 of the Codified Ordinances of the City of Highland Heights, requiring abutting property owners to repair, replace, or construct the same and declaring an emergency.” Mrs. Murphy moved to suspend the Second and Third Readings; seconded by Mr. Lombardo. Ayes all; motion carried. Miss Stickan moved to adopt; seconded by Mrs. Murphy. Ayes all; motion carried.

SECOND READING PROPOSED ORDINANCE 4-2010: Council listened to the Second Reading in title only of Proposed Ordinance 4-2010 which description is: “An Ordinance authorizing transfers and declaring an emergency. (General Fund to Capital Improvement Fund)

SECOND READING PROPOSED ORDINANCE 5-2010: Council listened to the Second Reading in title only of Proposed Ordinance 5-2010 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.”

ADOPTION OF RESOLUTION 13-2010: Council listened to the Third Reading in title only of Proposed Resolution 13-2010 which description is: “A Resolution authorizing the Mayor to execute a contract with 32 Ford Mercury, Inc. for the purchase of a 2011 Ford Three-Quarter Ton F-250 4x2 Pickup Truck pursuant to the Ohio Cooperative Purchasing Act in the amount of Seventeen Thousand Nine Hundred Thirty Six Dollars and Twenty Cents (\$17,936.20) and declaring an emergency.” Miss Stickan moved to adopt; seconded by Mr. Hargate. Ayes all; motion carried.

ADOPTION OF RESOLUTION 14-2010: Council listened to the Third Reading in title only of Proposed Resolution 14-2010 which description is: “A Resolution authorizing the purchase of one International Model 2011 7400 SFA 4x2 (SA 525) Dump Truck Cab and Chassis from Miami Valley International Trucks in an amount not to exceed Seventy Thousand Eight Hundred Twenty Two Dollars (\$70,822.00), pursuant to the Ohio Department of Transportation Cooperative Purchasing Program, and declaring an emergency.” Mr. Legan moved to adopt; seconded by Miss Stickan. Ayes all; motion carried.

ADOPTION OF RESOLUTION 15-2010: Council listened to the Third Reading in title only of Proposed Resolution 15-2010 which description is: “A Resolution authorizing the Mayor to enter into a contract with Snacks and Stuff, Inc. to provide food and beverage concession services at the Municipal Pool and Park for the summer of 2010 and declaring an emergency.” Miss Stickan moved to adopt; seconded by Mr. Hargate. Ayes all; motion carried

ADJOURNMENT: A motion was made by Miss Stickan and seconded by Mrs. Murphy to adjourn the meeting. Said meeting adjourned at 9:05 p.m.

Clerk of Council

President of Council