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**CITY OF HIGHLAND HEIGHTS  
MINUTES OF A COUNCIL MEETING  
HELD: MAY 25, 2010**

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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; Assistant City Engineer Mader; Finance Director Ianiro; Law Director Paluf.

ACTION ON MINUTES: The reading of the Minutes of a Council Meeting held May 11, 2010 was dispensed with. Mr. Stickan moved to accept the Minutes as written; seconded by Mr. Legan. Ayes all; motion carried.

The reading of the Minutes of a Special Meeting held May 18, 2010 was dispensed with. Mr. Lombardo moved to accept the Minutes as written; seconded by Mr. Mastrangelo. Ayes all; abstain Murphy; motion carried.

**DEPARTMENT HEAD REPORTS:**

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

- The Fire Department received an award from the State of Ohio as "Service Provider for the Year". They were in Columbus last week to receive that award and it was a very nice ceremony.
- The Department has become certified as an education facility. They are now able to provide EMS training to their personnel in house. This will hopefully relieve some overtime issues and save having to send some of their paramedics out for additional training. Chief Turner stated he was proud that they are now able to do that.
- Council has been requested to add to the agenda this evening a resolution authorizing the purchase of firefighter turn out gear. That resolution can receive three readings.

Police Chief's Report: No report.

Mr. Mills thanked the Police Department on behalf of Kathy Borally, Cathy Shumacher, Father Lane and the Spring Fling Crew from St. Paschal's for their assistance with traffic. It was much appreciated.

Mrs. Murphy displayed an orange card and stated residents are getting these placed on their mail boxes and doors. It is soliciting to have a large reflective house number painted on the curb and Ohio State Logo or the American Flag can be painted next to it. Mrs. Murphy stated her concern was whether this vender had registered with the City and whether or not it is appropriate that they conduct this kind of business. They ask for ten or twenty dollars,

depending upon what they are to do to be placed in the orange mailer, hang it outside on the door and the work will be done. Mrs. Murphy then asked the Law Director to look at this because the City owns those curbs. She noted that over the years there were college students who left a note that they painted the house number on the curb, and asked for a donation. Mrs. Murphy advised she did research and found out that they are in other cities also and pretty much the law enforcement was urging residents not to engage in that. Also they brought up that it would be something the city would have to authorize because the curb is in the right of way.

Chief Cook advised he would look into this. He advised they have received requests from solicitors regarding the storm damage and they are looking into that.

Mr. Legan reported residents on Colony have complained that as traffic is moving from Ridgebury towards Wilson Mills, it is getting more and more difficult to see the stop sign because of the growth of the trees. He suggested they might want to consider a sign that says, "stop sign ahead".

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

- A few weeks ago they had authorization through the L&F committee to replace the fuel monitor system for their underground tanks and that was put in their 2010 budget. The vender has completed the installation and the new fuel monitoring system is up and running and functioning well
- Brush collection continues. They are close to 600 stops now. That program will continue to run through the second week in June.
- The Crack Sealing Program began this week. Fortunately, it began in time to get some good weather. That program will continue for the next couple weeks.
- Monday being Memorial Day means all rubbish collection will be delayed one day next week.

Mr. Mills thanked Mr. Evans and his crew for the chipping program. He advised he gets a lot of compliments back and he has used the service twice because of the storm.

Building Commissioner's Report: Building Commissioner Grabfelder reported:

- Item No. 1 on the agenda is awarding a contract for the asbestos hazardous material inspection for the former church building. Mr. Grabfelder and Engineer Mader reviewed the proposals and recommended giving the contract to Earth Consulting Ltd. They submitted the lowest bid. Mr. Grabfelder offered to answer any questions.
- Regarding the Catalano Property, he inspected the building last week with the Fire Department. The building itself is in good shape; the roof is not leaking; there was some leak they were going to repair. The exterior walls look fine and other than storing some stuff from other stores the building is very sound at this point. It does not look like there is any structural damage.
- He thanked Jean Buchak and the staff at City Hall who mailed out all the notices for the sidewalk repair program. Next week the ad will be placed for bids. That program should commence some time in July.

- Several complaints were received about properties on Kenbridge and Cheriton where the homes were in foreclosure and the lawns were not cut. Thanks to the Service Department, the lawns have now been cut.

Mrs. Murphy asked Mr. Grabfelder if he was implementing the foreclosure law in terms of the notice for a deposit and commitment to maintain the properties. She mentioned properties on Cheriton and Turnberry and asked if they will be mowed on a regular mowing schedule. Mr. Grabfelder advised, now that they sent the notice, the City will put them on a regular rotation.

Mr. Mills advised he has gotten complaints about over night truck parking in Catalano's Parking lot. Chief Cook will check on this.

City Engineer's Report: City Engineer Hovancsek reported:

- 2010 Street Repair Program. A preconstruction meeting was held this morning. The work is scheduled to begin on June 14<sup>th</sup> after school is out. Brainard Road from Wilson Mills to Ridgebury will become one way southbound for the duration of the work on Brainard Road. Northbound traffic will be detoured along Ridgebury to Lander to Wilson Mills.
- 2010 Sidewalk Repair Program. Notices have been sent out and responses are now being received. The contract will be bid this week; bid opening is June 11<sup>th</sup>. The estimate was \$130,000.
- 2010 Street Striping Program. This project will be advertised for bids this week; bid opening will be Friday, June 18<sup>th</sup>. The estimate is \$34,000.

Finance Director's Report: Finance Director Ianiro reported:

- All receipts have been posted.
- Property tax revenues are running ahead of time. Through 5 months, the revenues should be at 50%; they are at 55%.
- Income tax is ahead of schedule also. Receipts should be at 42%; it is at 46%.
- In total the General Fund is at 46%; it was estimated to be at 42% and all funds are at 43%; they are pretty much on target when it comes to revenues. These numbers will be reflected in the May month end reports.
- The audit for the City has been completed and is in Columbus to be released. When released he will forward a copy to everyone.

Miss Stickan asked for the time frame on the Millridge and Brainard Street project. Service Director Evans advised the contractor will begin on June 14<sup>th</sup>; the first Monday after school is closed and is required to be finished by August 6<sup>th</sup>. School doesn't go back into session for a couple weeks after that so that leaves some leeway for rain days. They hope to have the contractor in and out before school reopens which is typically the third week in August. Mr. Evans further advised that most likely Brainard and Millridge will both commence because they are different operations; there will be a subcontractor to do the concrete work that needs to take place on Millridge for full depth repairs and for some repairs on the curve coming closer to Cranbrook. That same contractor will also do the concrete repairs on Brainard.

**COMMITTEE REPORTS:**

Safety & Service Committee: No report. Mr. Legan scheduled a meeting for June 8<sup>th</sup>, one-half hour before the regular meeting to discuss the turn out gear for the Fire Department and the trucks in the Service Department.

Home Days Committee: Miss Stickan reported with respect to the Community Day, as previously stated, August 7<sup>th</sup> is the date chosen. Their Chairman, Mr. Brunello, is here tonight. He has met with the committee and various other volunteers and is making preparations. They are moving forward with a parade and additionally Mr. Brunello is hard at work booking various entertainment acts.

Drainage Committee: Mrs. Murphy reported in a meeting held this evening they reviewed the following:

- A drainage investigation request submitted by a resident at 6067 Wilson Mills Road
- The engineer's report regarding a potential sanitary sewer extension along Wilson Mills Road. That would involve 5 to 7 homes that currently have septic systems. A letter of inquiry will be sent to those residents to see if they are interested in collaborating on that project and then the committee will follow up.
- The elicit discharge study for the Williamsburg Area. They are in the process of perhaps signing off on some of that study in terms of outfall issues that have arisen there.
- The County's Soil and Water Conservation District ranking of projects -- a retrofit storm water project, where Highland Heights Community Park was identified as a No. 1 site location was discussed briefly. That grant process would proceed over into next year if the City is interested in doing that. They plan to have them come in and talk to Council about what sort of projects they would be interested in collaborating on.

Park and Recreation Commission: Mrs. Murphy reported P&R did hold a meeting last Thursday, May 20<sup>th</sup> and it is her understanding they did do a walk through at the park. Due to a medical emergency, she was unable to attend that meeting. She did see Item No. 4 on the agenda for the purchase of tennis shading and advised P&R has identified that as a priority for the park. In a couple weeks, Mr. David Ianiro will be coming to council and will provide an update on how the programs are proceeding.

Mayfield Area Recreation Council (MARC): No report.

Legislative & Finance Committee: Mr. Lombardo reported a brief meeting was held this evening to review and sign requisitions.

Hillcrest Council of Councils: No report.

Planning and Zoning Commission: Mr. Mastrangelo reported a meeting was held May 24<sup>th</sup>:

- **Woodie, 295 Bishop Road.** Request for variance to real estate sign requirements. The variance was granted with the provision that the sign be moved back eight feet.
- **Peter & Josephine Cipriani, 322-A West Legend Court.** Proposed Deck. They have a walk out basement type of arrangement and this will be the fifth one along the golf course. They are working with the golf course, Miner Properties, and the City to get their approval letters.
- **Thomas Ungrady, Jr., 588 Miner Road.** Request is for a variance to the building requirements for a proposed home renovation. A public hearing was scheduled.
- **Naya Bistro & Lounge, 6323 Wilson Mills Road.** Request is for a variance from Use Regulations to serve liquor on an outdoor patio. Schedule public hearing. They had quite a discussion last night with Naya Bistro & lounge who wants to serve liquor on an outdoor patio. There are some questions in terms of access in and out that need to be clarified with the State Liquor Board and also with the property owner, Mr. Osborne. The fences that will be put up cannot be permanent. There are some issues to be worked out. They have three weeks to the next meeting.
- **Naya Bistro & Lounge, 6323 Wilson Mills Road.** Request is for variance to the walkway width requirements for an outdoor patio. A public hearing was scheduled.
- **The Shoppes at Alpha Place, Produce Tent.** The applicant withdrew his request. The Commission appreciates that Mr. Paluf put together an opinion on the legality of this type of use.
- **Commercial Signs.** Discussion. They are still working on commercial real estate signs in terms of getting something more appropriate. Between having a "for sale" and a "for lease" sign a lot of these buildings are always leasing space. They didn't want to have that same sign available for both.

Mr. Mills referred to a mound of dirt behind the new Discount Drug Mart store and asked if it was temporary. City Engineer Hovancsek advised it should be gone. Mr. Grabfelder will notify Mr. Osborne.

Commission on Aging: Mr. Mills announced that Friday the 14<sup>th</sup> the Annual Volunteer Luncheon was held at which the following 17 residents were honored: Betty Allen, Kathy Bencin, Clarence Brichacek, Phyllis Brichacek, Al Daviso, Judy Dearden, Shirley Flanagan, Patricia Jacobson, Mary Jane Kogan, Emil Lucarelli, Edward Miller, Trudy Miller, Paul Miscencik, James Paterno, Carol Schwab Ann Zigli and Bill Zigli. A meeting was held Monday May 21st. A couple upcoming events: the summer picnic and they are looking forward to a card party in the fall.

Law Director's Report: Law Director Paluf reported the City had requested a hearing for a liquor permit last month and the hearing was scheduled for this Friday. The liquor permit was requested for Robert J. Calabrese at Alpha Park. A background check was done and everything was fine, but the applicant didn't have a proper address. As it turns out, an amended application was filed with the proper address. So the City withdrew the request for a hearing since that was the only issue.

**MAYOR'S REPORT:** Mayor Coleman reported he was able to attend the Park & Recreation Meeting on Thursday for their walk thru of the park. One of the items they asked him to report on was their list of capital needs for the next five years. He asked them to have that prepared before the end of July so that Council could review it over the August recess and then when Mr. Ianiro comes in to talk to Council about programs, that could also be a topic of discussion some time in the fall and then for consideration for the 2011 budget.

Mayor Coleman advised will be out of town June 21<sup>st</sup> through the 23<sup>rd</sup> and unable to attend the council meeting on June 22<sup>nd</sup>.

In response to Mr. Mills' inquiry regarding removal of some of the stands in the park, Mayor Coleman reported, after lengthy discussion of the limited walkway between Diamonds 2 and 3 the thought was to move the stands so they would be on the playground side of Diamonds 2 and 3. There is a lot of pedestrian and bike traffic through there. They wanted to try it out. They can move it back if it doesn't work out. What they are finding is that not a lot of people use the stands so there is not a need for all of those. Most people bring lawn chairs. This is temporary to see if they can add to the pedestrian path traffic between the two diamonds.

Mayor Coleman then advised Chief Cook that the Park & Recreation Commission was asking if additional handicapped spaces could be added to the parking lot at the southern end behind Diamonds 7 and 8. Chief Cook advised he talked to Mr. Ianiro this morning about that and they have contacted Service Director Evans. Four spaces will be added.

**Council President's Report:** No report.

**ITEMS TO BE ADDED TO THE AGENDA:**

Proposed Resolution authorizing the purchase of Morning Pride, (Manufacturer) Fire Fighter Protective Clothing from Warren Fire Equipment, Inc. (authorized dealer), in an amount not to exceed Thirty Two Thousand Dollars (\$32,000.00), pursuant to the Ohio Cooperative Purchasing Act, and declaring an emergency.

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

**MEETING OPENED TO THE PUBLIC:** No one spoke.

**NEW BUSINESS:**

**FIRST READING PROPOSED RESOLUTION 23-2010:** Council listened to the First Reading in title only of Proposed Resolution 23-2010 which description is: "Proposed Resolution authorizing the purchase of Morning Pride, (Manufacturer) Fire Fighter Protective Clothing from Warren Fire Equipment, Inc. (authorized dealer), in an amount not to exceed Thirty Two Thousand Dollars (\$32,000.00), pursuant to the Ohio Cooperative Purchasing Act, and declaring an emergency".

**MOTION AUTHORIZING A CONTRACT WITH EARTH CONSULTING, LTD.:** A motion was made by Mr. Lombardo authorizing a contract with Earth Consulting, Ltd. In an

amount not to exceed \$1,698.00 for an Asbestos/ Hazardous Materials evaluation for the former Church building at 5775 Highland Road; seconded by Mr. Mastrangelo. Ayes: Legan, Lombardo, Mastrangelo, Mills, Murphy, Stickan; nay Hargate; motion carried.

**MOTION AUTHORIZING COUNCIL RECESS:** A motion was made by Mrs. Murphy authorizing Council Recess for the month of August; seconded by Mr. Legan. Ayes all; motion carried.

**MOTION AUTHORIZING PAYMENT TO TRI-CITY CONSORTIUM ON AGING:** A motion was made by Mrs. Murphy authorizing payment to the Tri-City Consortium on Aging in the amount of \$44,806 for the second half of the 2010 funding; seconded by Mr. Legan. Ayes all; motion carried.

**MOTION AUTHORIZING A CONTRACT WITH ANDERSON RECREATIONAL DESIGN:** A motion was made by Miss Stickan authorizing a contract with Anderson Recreational Design in the amount of \$15,430.00 for the purchase and installation of shading for the tennis courts at the Community Park; seconded by Mrs. Murphy. Mrs. Muprhy stated this purchase is in the Park & Recreation Commission's budget. Ayes all; motion carried.

**ADOPTION RESOLUTION 24-2010:** Council listened to the First Reading in title only of Proposed Resolution 24-2010 which description is: "A Resolution declaring the necessity of providing for the payment of street lighting and the improvement or installation of additional lighting by special assessment of all parcels benefited, and declaring an emergency." Law Director Paluf and Clerk Buchak recommended approval this evening to facilitate the publication of necessary notices. A motion was made by Miss Stickan and seconded by Mr. Hargate to suspend the Second and Third Readings. Ayes all; motion carried. Mr. Legan moved to adopt; seconded by Miss Stickan. Ayes all; motion carried.

**SECOND READING PROPOSED RESOLUTION 20-2010:** Council listened to the First Reading in title only of Proposed Resolution 20-2010 which description is: "A Resolution authorizing the Finance Director to make a payment to Swagelok Company from nontax revenues in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) pursuant to the Economic Development Grant Agreement dated June 30, 2005 and declaring an emergency."

**SECOND READING PROPOSED RESOLUTION 21-2010:** Council listened to the First Reading in title only of Proposed Resolution 21-2010 which description is: "A Resolution authorizing the Finance Director to make a payment to Stanley Air Tools from nontax revenues in the amount of Fifty Six Thousand Dollars (\$56,000) pursuant to the Economic Development Grant Agreement dated June 28, 2002 and declaring an emergency."

**SECOND READING PROPOSED RESOLUTION 22-2010:** Council listened to the Second Reading in title only of Proposed Resolution 22-2010 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 Twenty Thousand Dollars (\$20,000) pursuant to the Economic Development Grant Agreement dated November 27, 2007 and declaring an emergency."

**SECOND READING PROPOSED ORDINANCE 7-2010:** Council listened to the Second Reading in title only of Proposed Ordinance 7-2010 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.”

AGENDA – COMMITTEE OF THE WHOLE – JUNE 1, 2010, 8:00 PM:

1. Economic Development Committee
2. Highland Road Water Line
3. Sidewalk Plow
4. Mayfield Historical Society

Special Meeting to follow Committee of the Whole for the purpose of adjourning into executive session to discuss pending litigation and purchase of property.

**ADJOURNMENT:** A motion was made by Miss Stickan and seconded by Mr. Hargate to adjourn the meeting. Said meeting adjourned at 8:40 p.m.

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Clerk of Council

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President of Council