
**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
HELD: FEBRUARY 11, 2020
8:00 PM**

PRESENT: Mayor Brunello, Council Representatives D'Amico, DeLisio, DiLalla, Ganser, Hargate, Milroy, Stikkan; Clerk of Council Cahill; Fire Chief Turner; Police Chief Cook; Service Director Evans; Building Commissioner Grabfelder; City Engineer Mader; Finance Director Filippo; Law Director Paluf.

ACTION ON MINUTES:

The reading of the Minutes of the Regular Council Meeting held January 28, 2020 was dispensed with. Mr. Milroy moved to accept the Minutes as written; seconded by Mrs. Ganser. Ayes all; motion carried.

DEPARTMENT HEAD REPORTS:

Fire Chief's Report: Chief Turner reported for the month of January, the Fire Department responded to 138 calls for service. On February 6th, the Fire Department responded to a structure fire on Colony. There were no serious injuries to the homeowners; however, the family dog perished in the fire. Chief Turner thanked the mutual aid partners that assisted with this fire. Chief Turner thanked the Police Department for assisting by aiding the residents before the EMS arrived and while the Fire Department was actively working on the fire. Mayor Brunello was on the scene and complimented the Fire Department and Police Department for their efficient actions in addressing the fire. Councilwoman D'Amico was on the scene and was impressed to witness the outstanding efforts of the city's Fire and Police departments.

Police Chief's Report: Chief Cook complimented the Fire Department on the structure fire and stated the well-trained paramedic unit is outstanding.

Chief Cook stated a Civic Ready alert was sent notifying residents of people posing as utility workers to gain entry into homes. A Roy Road resident called the Police Department when a person identified themselves as a Water Department worker and attempted to enter the home. Chief Cook urged residents to call the Police Department if anyone comes to your door and asks to enter the home.

Chief Cook reported for the month of January, the Police Department responded to 1,305 calls for service; 17 motor vehicle accidents with three involving injuries; and 197 general welfare assistance calls.

Chief Cook requested the three reading rule be suspended on item #5, the Deer Control Plan and passed this evening on an emergency measure. Chief Cook explained that the residents approached the Mayor to address the deer population. Mayor Brunello requested the Police Chief to research the deer control issue.

In the past, Chief Cook was against culling. On September 3rd Geoffrey Westerfield from the Ohio Department of Natural Resources, made a presentation to Council outlining data that would be required for a Deer Management Plan. The Deer Management plan would consist of residents' complaints; motor vehicle accidents; deer euthanized by the Police Department; and vegetation disturbing. The Deer Management plan was submitted and approved. A citizen survey was initiated and 80% of the residents responded that there was a deer problem that needs to be addressed. A Town Hall meeting was held on February 5th. Residents were concerned about safety which is a concern of the Mayor's and Chief Cook. Chief Cook requested a decision be made whether or not to move forward as the research has been compiled. The Department of Agriculture is very efficient, and the processed food would be donated to a charity.

President Stickan thanked Chief Cook for notifying the residents on the Roy Road incident with the Civic Ready alert.

Service Director's Report: Director Evans stated that the Service Department's 2019 report will be available by the next Council Meeting.

Director Evans stated item #3, authorizing the City Engineer to submit an application for the Cleveland Water Department's Suburban Water Main Replacement Program, was discussed at the Committee of the Whole meeting and recommends passage of the motion.

Building Commissioner's Report: Mr. Grabfelder reported for the month of January, the Building Department issued 26 residential permits and 10 commercial permits. There were a few zoning notices sent and one item will have a court date on February 12th.

Mr. Grabfelder requested suspension of the third reading on item #8, the addition of a new Chapter for Rental Properties. There is a lot of work required to set up the program so that it can be initiated this year.

Mr. Grabfelder responded to Mr. DiLalla's question that Panini's and Dunkin' Donuts are on schedule to open on February 24th with a Grand Opening for March Madness.

City Engineer's Report: Mr. Mader stated the 2020 Asphalt and Strumbly Water Main Replacement program will have a bid opening on February 13th. There are nine contractors that have purchased the bid requirements.

The 2020 Concrete Program will have a bid opening on March 5th. This will include the sidewalk program for the southwest section of the city.

The 2020 Crack Sealing Program will have a bid opening on March 5th. The program was originally budgeted for \$100,000; however, this year's crack sealing will include all the roads from last year at an estimate of \$174,000.

The recommended application submitted to the County's 50/50 Program for the 2021-2022 year is the widening of the Bishop Road left turn lane at the Wilson Mills intersection. The signal will be improved this year in anticipation of the improvement in 2021.

Phase II reporting for the EPA is due on April 1st. This report outlines the storm water measures the city implements each year.

In December 2018, Highland Heights submitted two applications to NOACA for work on Wilson Mills Road. One application was for resurfacing from Lander to the west corp line and an overlay from Lander to the east corp line. NOACA awarded the wording for the west portion; however, they provided the funds for the east portion. NOACA is aware of the error and will grant the funds. Mayfield Village will participate in an overlay project from Lander Road to Alpha Drive. The County has offered to participate also which will reduce the city's cost; however, they anticipated funding Lander to the west corp line. Richmond Heights was awarded a contract from Richmond Road to our west corp line. Mr. Mader will continue to work out the misunderstanding with the County as they are still willing to participate. Mr. Mader will provide updates on the progress.

Mr. Mader stated the Brainard Road resurfacing project will be performed this year by the County. The bids will be opened in March with construction starting in June. The pre-construction meeting for the Bishop Road bridge replacement by Swagelok will be held in May. This will be a design-build project that will require only one-way northbound traffic on Bishop Road.

Finance Director's Report: Director Filippo stated the Mayor presented a balanced budget that transfers \$2 million into the Capital Fund. The Capital Fund will have a \$2.2 million road project and \$187,000 for the City Park.

COMMITTEE REPORTS:

Commission on Aging: Ms. D'Amico reported that the Commission on Aging will hold a meeting at 1 PM on February 17th at City Hall.

Community Day: Mr. DeLisio stated the Committee met on February 4th and confirmed the second band for the 3:00-6:00 p.m. slot. The food trucks and fireworks are also confirmed. The wing eating contest and home run derby will also be held this year. The event will be held on July 18th and will be celebrating the city's 100th Anniversary.

Planning and Zoning Commission: Mr. DiLalla stated the Planning & Zoning Commission met on February 10th and held a presentation from Chagrin River Watershed Partners. This organization discussed stream and wetland protection opportunities with regard to zoning.

The variance request for David Dalpiaz, 302 Miner Road, was scheduled for a public hearing.

Safety and Service Committee: Chairperson Ganser stated there was no meeting of the Safety and Service Committee. Chairperson Ganser stated that the new communications center should be completed in approximately a week.

Hillcrest Council of Councils: Mr. Hargate thanked everyone for attending the Hillcrest Council of Councils meeting on February 1st.

Drainage Committee: Chairperson Milroy stated the Drainage Committee met this evening and discussed options in the Eastlawn/Colony area. Chairperson Milroy scheduled a meeting for February 25th.

Law Director's Report: Mr. Paluf stated there were two Notice of Liquor licenses received. One is a transfer of a D5 to Crostatas, 558 Bishop. The second is a new D2 to OCG Acquisition LLC, 6267 Wilson Mills Road. The Police Department and Law Director had no objections to the Notices. The Clerk will return the Notices to the Ohio Division of Liquor Control stating there are no objections.

MAYOR'S REPORT: Mayor Brunello thanked Director Filippo and the Department Heads for working together to present a balanced budget for 2020. The budget process involved all council members which was very favorable and will continue in the future. The Capital Budget has \$2.1 million for roads and \$150,000 on Park improvements.

Mayor Brunello announced an Economic Development meeting for February 18th at 7 PM at City Hall.

Mayor Brunello reminded Council to submit the spring newsletter articles to Executive Assistant Kole by February 24th.

Mayor Brunello attended the Green Tie Gala to benefit the Mayfield School System.

Mayor Brunello attended the Lions Club meeting and was presented with a plaque awarding the City with an Outstanding Holiday Display for the municipal complex. Mayor Brunello thanked the Service Director and the Service Department employees for the outstanding job in creating a holiday display.

Mayor Brunello thanked everyone for attending the Town Hall meeting to discuss deer management. Approximately 150 people attended. Mayor Brunello commented that deer control was brought to his attention by concerned residents. The process began seven months ago when a meeting was held with mayors from surrounding communities. The facts have been collected and presented. The survey was created and distributed. The survey results indicated 80% of the respondents are in favor of a deer management plan. The deer management control has been driven on a safety standpoint.

Mayor Brunello reiterated that the culling of deer, if Council approves the contract, will not take place on private property. There will be no culling of deer on private property.

Mayor Brunello stated the contract with the Ohio Department of Agriculture is approximately \$14,000. The contract could have been approved by the Legislative and Finance Committee which has the authority to approve expenditures under \$15,000. The Council could have approved a motion to authorize the contract. However, an ordinance is presented which attaches the Cooperative Service Agreement with the U.S. Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services and the City's White-Tailed Deer Management Plan. As an ordinance, every council member has the opportunity to vote.

PRESIDENT'S REPORT: President Stickan stated the Legislative and Finance Committee met this evening and approved an invoice and discussed ideas to move forward on the moratorium on the skilled nursing facilities. The committee will continue discussions and also plan to discuss the amendments to the Planning & Zoning Code.

ITEMS TO BE REMOVED/ADDED TO THE AGENDA:

MEETING OPENED TO THE PUBLIC:

Ms. Franca Garafolo, 6011 Castlehill Drive, stated that Council has done their due diligence in researching and creating the Deer Management Plan. Ms. Garafolo commented that the deer population has increased over the years due to the elimination of their predators. Ms. Garafolo related comments on the amount of deer and deer scat in her yard. Ms. Garafolo urged Council to take action this year on the overpopulation of deer.

Ms. Lynda Schriebman, 658 Clinton Lane, stated she suggested in October to erect LED flashing deer warning signs from dusk to dawn to alert motorists. Ms. Schriebman questioned the process of the Mayor becoming the Safety Director. Ms. Schriebman stated a Task Force should have been created to discuss the deer management issue. Ms. Schriebman felt the deer are not a safety issue; however, robbers, thefts, distracted drivers, drugs and alcohol are safety issues.

Mr. Frank Palmisano, 738 Esther Rd., stated there is a major deer problem on his street. There is a creek behind his house that attracts 6-8 deer every evening. Mr. Palmisano agrees that culling is the best remedy for the deer situation.

Mrs. Laura Kramer Kuns, 471 Miner Rd., had contacted Council by email attaching pictures showing the number of deer in her backyard every day. The deer are a driving safety hazard. The deer tick which carries lyme disease is a health hazard. There are also diseases associated with the deer feces and urine. Mrs. Kuns stated if the deer population is not controlled, the deer will be dying due to a lack of sufficient food. Mrs. Kuns urged council to vote this evening to initiate deer control this year.

Mr. Bruce Balzano, 674 Kenbridge Drive, commented that the deer are dangerous and aggressive. Mr. Balzano stated a neighbor on Tourelle counted 50 deer in his yard.

Mr. Stan Walczyk, 664 Charles Place, attended the Town Hall meeting and related data identifying the increase of the deer population in the State of Ohio. The deer population may double within 2-3 years. Mr. Walczyk supports implementing a deer control plan which will be re-evaluated annually.

Ms. Sherri Ianiro, 1010 Millridge Road, has attended every Council meeting on the deer issue and feels signs should have been erected alerting the residents to deer crossing danger. Ms. Ianiro stated there are no deer in her neighborhood. Ms. Ianiro stated there is no way to prove that a person contacted lyme disease from deer as the tick can be present in mulch. Ms. Ianiro commented that there are no facts stating there is a safety issue; therefore, the deer should not be killed. Ms. Ianiro was concerned with the danger of sharpshooters in the neighborhood.

Mr. Frank Palmisano III, 627 Clinton Lane, stated he approached Mayor Brunello with concerns of the deer population. Mr. Palmisano stated deer have approached his kids and dog in the past and there is deer scat throughout his yard. Mr. Palmisano stated the residents have spoken and urges Council to take care of the problem immediately.

Mr. Frank Zanella, 474 Lassiter Drive, attended the Town Hall meeting and complimented Chief Cook on presenting the facts to Council. Mr. Zanella stated Council has received adequate information to make a decision. Mr. Zanella requested Council decide on the deer control issue this evening.

NEW BUSINESS:

MOTION TO DESIGNATE: A motion was made by Mr. DiLalla to designate the Clerk of Council to represent the Mayor and newly elected Council members at the H.B. 9 Public Records Training; seconded by Mr. DeLisio. Ayes all; motion carried.

MOTION AUTHORIZING AGREEMENT: A motion was made by Mrs. Ganser authorizing the Mayor to enter into the Community Partnership on Aging, Council of Governments agreement; seconded by Ms. D'Amico. Mr. Brunello stated this is an annual agreement and the City of Richmond Heights has joined the CPA. Ayes all; motion carried.

MOTION AUTHORIZING APPLICATION: A motion was made by Mr. Milroy authorizing the City Engineer to prepare and submit an application for a water main replacement project on Franklin Blvd., through the City of Cleveland's Suburban Water Main Replacement Program; seconded by Mrs. Ganser. Ayes all; motion carried.

FIRST READING PROPOSED RESOLUTION 4-2020: Council listened to the First Reading in title only of Proposed Resolution 4-2020 which description is: "A Resolution authorizing the Mayor to enter into a contract with B.T.S. to provide food and beverage concession services at the Municipal Pool and Park for the summer of 2020 and declaring an emergency." (Mayor Chuck Brunello, Jr. and Council as a Whole)

ENACTMENT OF ORDINANCE 5-2020: Council listened to the First Reading in title only of Proposed Ordinance 5-2020 which description is: "An Ordinance authorizing the Mayor to enter into an agreement with the United States Department of Agriculture to provide Wildlife Services, and declaring an emergency." (Mayor Chuck Brunello, Jr. and Council as a Whole)

Council was asked to suspend the Second and Third Reading to allow the contract to begin in a timely manner. A motion was made by Mr. Milroy to suspend the Second and Third readings; seconded by Mrs. Ganser. Ayes all; motion carried.

Mr. DiLalla moved to enact; seconded by Mrs. Ganser. Ayes all; motion carried.

FIRST READING PROPOSED ORDINANCE 6-2020: Council listened to the First Reading in title only of Proposed Ordinance 6-2020 which description is: "An Ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) 2020 Energized Community Grant(s), and declaring an emergency." (Mayor Chuck Brunello, Jr. and Council as a Whole)

FIRST READING PROPOSED ORDINANCE 7-2020: Council listened to the First Reading in title only of Proposed Ordinance 7-202 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, 2020 and ending December 31, 2020, and declaring an emergency.” (Mayor Chuck Brunello, Jr. and Council as a Whole)

ENACTMENT OF ORDINANCE 2-2020: Council listened to the Second Reading in title only of Proposed Ordinance 2-2020 which description is: “An ordinance enacting new Chapter 1341 to part Thirteen of the Codified Ordinances of the City of Highland Heights, Ohio, pertaining to Rental Properties. (Mayor Chuck Brunello, Jr. and Council as a Whole)

Council was asked to suspend the Third Reading to begin the new inspection process for 2020. A motion by Mrs. Ganser to suspend the Third Reading; seconded by Mr. DeLisio. Ayes all; motion carried.

Mr. Milroy moved to enact; seconded by Mrs. Ganser. Ayes all; motion carried.

SECOND READING PROPOSED ORDINANCE 3-2020: Council listened to the Second Reading in title only of Proposed Ordinance 3-2020 which description is: “An ordinance amending Ordinance 31-2019 establishing compensation for certain employees of the City of Highland Heights, Ohio, commencing January 1, 2020, repealing all ordinances inconsistent therewith and declaring an emergency. (Mayor Chuck Brunello, Jr.)

SECOND READING PROPOSED ORDINANCE 4-2020: Council listened to the Second Reading in title only of Proposed Ordinance 4-2020 which description is: “An Ordinance establishing compensation for employees of the Recreation Department of the City of Highland Heights, Ohio for 2020, repealing all ordinances inconsistent herewith and declaring an emergency. (Mayor Chuck Brunello, Jr.)

ADOPTION OF RESOLUTION 1-2020: Council listened to the Third Reading in title only of Proposed Resolution 1-2020 which description is: “A Resolution providing for the employment of an Engineer for the City of Highland Heights and establishing the compensation of the City Engineer for 2020, repealing all legislation inconsistent herewith and declaring an emergency.” (Mayor Chuck Brunello, Jr. and Council as a Whole)

Mr. DeLisio moved to adopt; seconded by Mr. Milroy. Ayes all; motion carried.

ADOPTION OF RESOLUTION 2-2020: Council listened to the Third Reading in title only of Proposed Resolution 2-2020 which description is: “A Resolution establishing compensation and other terms of employment for the City Prosecutor and declaring an emergency.” (Mayor Chuck Brunello, Jr. and Council as a Whole)

Ms. D’Amico moved to adopt; seconded by Mr. DeLisio. Ayes all; motion carried.

ADOPTION OF RESOLUTION 3-2020: Council listened to the Third Reading in title only of Proposed Resolution 3-2020 which description is: “A Resolution establishing the terms, conditions and compensation for the Law Director’s services and declaring an emergency.” (Mayor Chuck Brunello, Jr. and Council as a Whole)

Mrs. Ganser moved to adopt; seconded by Mr. DeLisio. Ayes all; motion carried.

ENACTMENT OF ORDINANCE 1-2020: Council listened to the Third Reading in title only of Proposed Ordinance 1-2020 which description is: “An ordinance establishing compensation for the Recreation Director of the City of Highland Heights, Ohio, for 2020, repealing all ordinances inconsistent therewith and declaring an emergency.” (Mayor Chuck Brunello, Jr. and Council as a Whole)

Mr. Milroy moved to enact; seconded by Mr. Hargate. Ayes all; motion carried.

President Stickan announced that item #5, the ordinance to enter into a contract for the culling of deer to assist with meeting the objectives of the City’s White-Tailed Deer Management Plan was approved by Council this evening.

ADJOURNMENT: A motion was made by Mr. DiLalla and seconded by Mr. DeLisio to adjourn the meeting. Ayes all; motion carried. Said meeting adjourned at 9:00 p.m.

Clerk of Council

President of Council