

**CITY OF INDEPENDENCE
REGULAR COUNCIL MEETING MINUTES
MARCH 11, 2008 7:00 P.M.
COUNCIL CHAMBERS**

CAUCUS:

Vice Mayor Vern Blaze called the meeting to order at 5:09 p.m. Present were Mayor Gregory Kurtz, Council Members Jim Crooks, Dave Grendel, George Klepacz, Tom Narduzzi, Jim Riley and Anthony Togliatti (arrived at 5:36 p.m.). Also present were Finance Director John M. Veres, Law Director Greg O'Brien, Human Resources Director Heather Glaze, IT Coordinator Jim Gibbs, City Planner Jeff Markley, Engineering Coordinator Don Ramm, Engineer Don Elewski and Beth Fulton from TranSystems.

Mayor Kurtz asked Beth Fulton of TranSystems to give a brief presentation showing examples of possible reconfigurations of Rockside Road at I-77 which could potentially result in a 40% improvement of traffic flow in that area.

Beth Fulton stated these are engineering models that we've created for other locations. But what can be done is the actual Rockside and I-77 area can be modeled as it exists. Some of the ramps are a little different so keep that in mind as you're looking at each of these. None of these examples are the exact footprint that you have. The thought behind it is an innovative modified diversion designs and interchange. It's a non-traditional solution to traffic congestion.

What you have at Rockside and I-77 are signals all around. Anybody who drives in that area, especially if you're on the I-77 southbound exit ramp, you know that the way that signal is timed you're sitting there for quite a period of time. A lot of these signals in order to allow protected lefts in each direction and then through, consist of multiple phases of up to 5-minute cycles in some locations. What this example allows is a 2-phase signal. While it's red for you it's green for the opposite person and then vice versa. There isn't a period of time where everyone is stopped except for left turn. If those left turners are moving, anyplace there is not a conflict it's letting people go. In this example it's either red or green and you can simplify the phasing and shorten the cycle time to more quickly move the traffic throughout the intersection.

Vice Mayor Blaze asked, would you say that 50% of the traffic would be moving through the intersection at all times then?

Beth Fulton replied, you can reduce the congestion by about 40% so that period of time you're sitting there waiting can be reduced. In creating a model for Rockside you would get the actual aerial photography of your area. You would actually see that and understand. It would be modeled for the traffic volumes that you actually have and you can then also project to some point in the future. You'll notice that this example is non-traditional in the sense that cars are essentially coming left of center. You have a little bit more space than this example. In order to separate traffic in the area you would build a raised concrete median or an island.

Mayor Kurtz commented, the beauty of it is that our infrastructure in the center is pretty much intact so it wouldn't be a major capital investment in the infrastructure underneath the bridge.

Beth Fulton replied, right. Potentially since that is seven lanes wide, if you look at the way this one is modeled, it's three lanes in each direction and a piece in the middle. That's six and a half lanes and you have seven already. Because it's already widened the way it is, one of the things that's nice about this is a lot of times you can fit this type of an improvement inside your existing right-of-way because the road is already wide enough.

Councilman Riley asked, where traffic is near the Crown, could you make that two lanes constantly exiting?

Mayor Kurtz replied, if you had four lanes on the interstate.

Councilman Riley asked, don't we have four lanes there?

Beth Fulton replied, you do have four lanes but nobody wants to wait. Everybody wants to turn right on red. You don't know how many lanes you're going to need until you model the traffic and see how it's going to work. Then you would lay it out based on the traffic how many lanes you would need for any particular leg.

Vice Mayor Blaze asked, is it a safety hazard to allow that middle lane to turn right at the same time?

Beth Fulton replied, yes. It's because you can't guarantee that the person in the curb lane is going to turn right into the curb lane on Rockside.

Vice Mayor Blaze asked, how do you guarantee if when they both have the green?

Beth Fulton replied when you both have the green then you know there is somebody next to you.

Several people speaking at once.

Beth Fulton showed another example of what was done in Athens, Ohio.

Councilman Riley commented, you'd have to have some type of backup generator because if you had a power failure it would be a mess.

Councilman Klepacz asked what the cost would be.

Beth Fulton replied it can be done for \$2 million or less because really what you're looking at is changing out signals. You already have all your pavement. You would actually have to go in and remove some pavement and build raised barriers, something higher than what you have right now because of people who aren't accustomed to driving a pattern like this. You would want a higher barrier so people don't feel like they're driving on the wrong side of the road. If they

can't see that there is traffic on the wrong side of them, they're not going to feel that way. They're going to feel like they're on a one-way street.

Councilman Riley asked if ODOT provides any participation in the funding of these projects.

Beth Fulton replied, ODOT is pretty tight with money these days. But, there are safety funds that are available – up to \$5 million per project. You have to show them you have a problem.

Mayor Kurtz responded, when we show them the traffic backed up on I-480. We have evidence. We'll be able to do aerials of that.

Beth Fulton replied ODOT keeps a “hot spot” list, which we researched and it didn't appear this was showing up there. It doesn't mean it's not a problem. It just means it's not on the list. You would probably need to show them your documentation.

Vice Mayor Blaze asked, do you have a model that shows a typical intersection similar to Route 21 and Rockside Road?

Beth Fulton showed an example of a similar intersection to Rockside and Route 21.

There are some innovative, non-traditional alternatives to consider.

Mayor Kurtz commented we just wanted to give you a flavor of some of the things we're looking at. Let's get a proposal put together. We're going to check on funding availabilities. We'll also get an update with ODOT.

Mayor Kurtz thanked Beth Fulton for her presentation.

Beth Fulton left the Caucus.

Moved by Blaze, seconded by Crooks, to recess the Council Caucus for an Executive Session to discuss property acquisition and labor negotiations. Council polled: 6 yes/0 no; motion carried.

The Council Caucus was recessed at 5:26 p.m.

The Executive Session was convened at 5:35 p.m. Present were Council Members Blaze, Crooks, Grendel, Klepacz, Narduzzi, Riley and Togliatti (arrived at 5:36 p.m.). Also present were Law Director O'Brien, Finance Director Veres, Human Resources Director Heather Glaze and Harry Brownfield.

Moved by Riley, seconded by Grendel, to adjourn the Executive Session and reconvene the Council Caucus. Council polled: 7 yes/0 no; motion carried.

The Executive Session was adjourned at 6:57 p.m.

The Council Caucus was reconvened at 7:02 p.m.

Vice Mayor Blaze stated, due to the lateness of Caucus, if it's okay with my colleagues rather than going through each piece of legislation tonight we've all had legislation since packets on Friday night. There has been an opportunity to ask questions and to review the financial impact in John Veres' Legislative Review. Does anyone have any specific questions, issue, problem or anything they want to discuss about a specific piece of legislation on the agenda tonight?

Councilman Crooks replied let's begin with Ordinance 2008-14 regarding cemetery fees. We need to add some language per our discussion at our last committee meeting on March 4th. We had discussed at that meeting about a catchall phrase and I've received input from just about everyone, specifically from the members of the committee that *all decisions are subject to the final discretion of the mayor*. That recommendation comes to us from Jeff Markley. He is here tonight to confirm that. It is the approach that other communities have used. I talked to Greg O'Brien about it and we discussed it in committee. If no one has objections, I'd like to make that amendment to the legislation as we have it before us.

Vice Mayor Blaze asked, did you talk to the people who are in charge of administering the cemetery policy over at the service department?

Councilman Crooks replied yes. I've specifically talked with Marie who handles a number of the calls.

Vice Mayor Blaze replied I just wanted to have enough of this nailed down so that we're giving them direction as to how we want the policy implemented and giving them something concrete to work with, and trying to minimize the number of gray area situations that they run into. If the recommendation from everyone who has reviewed this is that that accomplishes that, then I'm ready to vote on it tonight. I want to make sure we're still giving enough flexibility. I think the Mayor asked for some latitude in emergency situations that arise that allows him to deal with individual circumstances.

Councilman Crooks replied there are a number of contingencies that we've faced relative to this legislation over the course of the last eight months. I did speak with Marie today and she said the way that we've left this legislation is fine. In explaining to residents who have called since our last meeting and since it has become more public, everyone for the most part comes away from her discussion understanding. My sense is that if we add this contingency regarding the Mayor that we will have accomplished that.

Councilman Klepacz asked Councilman Crooks to read the amendment.

Councilman Crooks replied I don't have the official wording but it revolves around the concept of adding language that all final decisions are subject to the discretion of the Mayor. That resulted from the conversation of flexibility, giving the Mayor some flexibility in the case of emergency situations arising. It would be a simple statement – all matters in question are subject to the final decision of the Mayor.

Law Director O'Brien added, I can provide the wording. I have the addition of 953.06, *the Mayor shall implement policies and procedures within his sole discretion that are not inconsistent with the express provisions of this ordinance*. So he can implement any policies or procedures but he can't change expressly what is in here. He couldn't change a grave plot price, for example.

Jeff Markley added, for example, I think we have limited it to the purchase of a maximum of four plots per person or per family. Somebody may come in with a request to purchase five.

Councilman Crooks replied, that's not legislated. That is the need for this provision.

Vice Mayor Blaze asked, do we want to deal with that amendment first?

Law Director O'Brien replied, this amendment would allow the Mayor to take those unique situations of your residents. Again, he doesn't have the ability to change the fees, but if someone has a need for additional graves, the Mayor can from time to time make those policy decisions without going to Council.

Vice Mayor Blaze asked, are we comfortable with the fact that we do not have a number restriction of how many people can buy in this legislation?

Councilman Crooks replied I'm comfortable moving forward with the input that our committee received from the Mayor and the Sexton. The number in the policy really hasn't been an issue in the past. I know that we also briefly discussed that there might be other ideas to put a number in here. My position is that the Mayor and Sexton asked is it necessary to legislate this, please give us some flexibility for emergency type situations.

Councilman Riley commented, if someone calls and says I want 20 graves, the Mayor has the discretion to question it.

Mayor Kurtz responded, we're not going to sell them that many.

Vice Mayor Blaze replied as long as that's clear.

Mayor Kurtz commented, you have to use good logic and reason, common sense.

Vice Mayor Blaze responded I don't want somebody throwing down \$45,000 and asking for 100 graves.

Mayor Kurtz asked Law Director O'Brien, if that's the case, we don't have to sell them to them?

Law Director O'Brien replied no.

Mayor Kurtz stated, there is nothing that says we have to sell a grave to somebody. If somebody comes in asking for ten graves, they don't have the authority under this ordinance.

Law Director O'Brien replied, no one person has the ability to buy more than one grave under this ordinance if you strictly read it. They have to be a resident and buying it themselves.

Mayor Kurtz responded so we have flexibility then.

Moved by Riley, seconded by Grendel, to amend Ordinance 2008-14 to read, 953.06 *The Mayor shall implement policies and procedures within his sole discretion that are not inconsistent with the express provisions of this ordinance.*

Vice Mayor Blaze commented, it says *purchase grave space*. It doesn't say *a space*.

Law Director O'Brien replied but the Mayor is going to impose a policy saying, and it could be oral, an individual is going to come in and they must be a resident. You have to prove the residency for the ordinance. If someone comes in and says they want five spaces, I would assume that the Mayor's new policy is going to have the Sexton call him up and say that someone wants to buy five and I think someone is trying to scam us here.

Vice Mayor Blaze responded, we all understand it here in 2008, but the last time we amended this legislation was 1982, 26 years ago. Twenty five years from now none of us are going to be here on Council, who is going to know?

Law Director O'Brien responded 25 years from now there won't be any graves left.

Councilman Crooks stated it was my thought that your specific suggestion would fall into this first amendment of it being left to the discretion of the Mayor.

Vice Mayor Blaze responded as long as we've thought of it and have a vehicle to address it.

Councilman Crooks asked does anybody else have a problem with that?

There were no objections noted.

Council polled: 7 yes/0 no; motion carried.

Councilman Riley stated I wanted to jump to Resolutions 2008-42 and 2008-43. Why are we buying Dodges and Crown Vics?

Mayor Kurtz replied I sat with the Chief and we talked to the guys. This was the compromise that we came up with. We'll be able to watch and see which one lasts longer. We'll have a very clear test. The Taurus and the Expedition was to give us more flexibility – detective bureau as well as a 4WD. We're trying to have a little flexibility in the police department. This was the guys' recommendation of the police department itself. It's still six vehicles. The number isn't changing but we're being more flexible in the types of vehicles.

Vice Mayor Blaze stated Ordinance 2008-19 is modifying the curfew.

Mayor Kurtz asked, first reading to the Safety Committee?

Vice Mayor Blaze replied, it has Rules introducing it.

Councilman Klepacz stated as Chairman of the Rules Committee he has no objection to this being referred to the Safety Committee.

Councilman Grendel stated we'll put it on the agenda for the March 18th meeting.

Vice Mayor Blaze commented Resolution 2008-46, most of that is for Wisnieski Parkway. Resolution 2008-49 is for underground storage tank issues over at the service garage if it wasn't clear from the Legislative Review. Does anybody else have any other questions?

Councilman Klepacz replied I need an explanation of Resolution 2008-47.

Mayor Kurtz replied, two things. We've had two labor consultants we've used for our labor contracts and we'll also use the same people for our labor management. Remember, it's not just negotiating a contract. It's being able to administer the contracts, which is sometimes on ongoing process. This gives us flexibility in terms of our labor discussions and negotiations, but also gives us flexibility. I think the most insightful meetings I've had is when we have different labor people and legal people in the same meeting and we're able to reach agreement in terms of a better understanding of how to administer a contract, different provisions in our contract, and put a long-term vision in place. The rate is very, very competitive.

Councilman Klepacz replied, part of the discussion was about giving the human resources person a possible significant raise – that was going to be part of the function of the human resource person.

Mayor Kurtz replied, they didn't get a raise. We didn't do that. We left them right where they were at. When legislation passed I think in our conversation when we were talking we said that we have that range but they're not going to be at the top of that range. We already discussed what we hired her at. I'm not changing that.

Councilman Klepacz replied I understand that.

Councilman Riley asked this legislation is Joe negotiating the service contract?

Mayor Kurtz replied, sure.

Everyone speaking at once.

Mayor Kurtz stated he's one of our labor consultants.

Councilman Grendel asked so he could also handle police grievances?

Mayor Kurtz replied yes. We'll have flexibility. We'll have two vehicles to use rather than just one.

Councilman Grendel asked, he's not an attorney is he?

Mayor Kurtz replied, no, he's not an attorney.

Councilman Riley asked so this will give Heather some options if she wants to use our law department or Joe?

Mayor Kurtz replied yes.

Councilman Klepacz stated I won't support this. We already have people in place so I'll be voting no on this one.

Councilman Narduzzi asked is there a monetary limit to this?

Mayor Kurtz replied no. It's a renewal every year. We appropriate every year for it.

Councilman Crooks asked and this isn't the work that's completed? It's for work that could be done?

Mayor Kurtz replied no, going forward. I can authorize up to \$7,500.

Councilman Klepacz asked and this is separate from the contract negotiations that he's doing with the service department?

Mayor Kurtz replied right now but it will bleed into this. The \$7,500 will bleed over into this, yes. I can authorize up to \$7,500.

Councilman Grendel commented I'd rather see our law department handle this.

Mayor Kurtz responded the \$7,500 is going to run dry. Labor negotiations are extensive.

Several people speaking at once.

Mayor Kurtz stated we have a blanket number which we plug in for the law department.

Councilman Riley asked so we haven't authorized anything for Joe because you authorized it up to the \$7,500?

Mayor Kurtz replied right.

Vice Mayor Blaze commented it's going to be a sticky situation if this legislation is not approved and when he hits the \$7,500 we don't have the service department contract completed.

Mayor Kurtz stated they're all valuable resources, good tools in the toolbox. He has great insight into certain areas and the dynamics of it all works. That's just the best way to negotiate.

Councilman Grendel commented I was on the school board when we hired him and we had a bad experience. The people still haven't forgotten it or forgiven.

Mayor Kurtz responded he protects your entity. There is no question about that. It has to be equitable – no question about it.

Councilman Klepacz commented, again, I would prefer our HR person do it because again, you did discuss that as part of their position.

Mayor Kurtz replied the HR person always has to be part of it because they have to be the primary administrator of it. But you need people to do this on a daily basis. You saw earlier the demands. It's very sophisticated. It's not like let's sit down, have a beer, talk about two or three items and it's over with. You can see by the number of items that it's a very sophisticated process. Every word makes a difference. I can tell you from experience that a word can cost you \$10,000, so you need to be able to make sure you're getting it right.

Law Director O'Brien commented or save you \$10,000.

Mayor Kurtz replied, in our case it cost us \$10,000, but that was a long time ago. It's important that we have flexibility. I'd appreciate your consideration of this.

Finance Director Veres asked you don't think there should be a "not to exceed" in here?

Mayor Kurtz replied we're only going to use when we need to. There's no guarantee, no minimum either.

Finance Director Veres replied it would let them know it's not an open checkbook.

Mayor Kurtz replied I don't pick up the phone like I do the law department.

Finance Director Veres replied I'm talking about \$20,000, just to put a limit on it.

Mayor Kurtz asked do you want to put \$25,000 a year? I don't care. I have no problem with that. If that makes everyone more comfortable, no problem with that.

Vice Mayor Blaze asked for what time period – 12 months.

Mayor Kurtz replied 2008.

Moved by Blaze, seconded by Riley, to amend Resolution 2008-47 to include *in an amount not to exceed \$25,000.00*. Council polled: 7 yes/0 no; motion carried.

Moved by Crooks, seconded by Riley, to adjourn the Council Caucus. Council polled: 7 yes/0 no; motion carried.

Councilman Crooks stated last month we removed Resolution 2008-25 from the agenda because we wanted to make sure that could overlap a number of departments.

Mayor Kurtz replied Jim Gibbs did explain this morning at the staff meeting that he reviewed that with the Tech Services Department. This will integrate.

Jim Gibbs responded the Service Department weighed in on this since this last meeting. They looked at the package and there were a number of modules that could apply in their department as well. That is why we've increased the amount by \$2,000 – to add a second data set for the Service Department.

Council Caucus was adjourned at 7:23 p.m.

COUNCIL MEETING:

Mayor Gregory Kurtz called the meeting to order at 7:28 p.m. Present were Council Members Vern Blaze, Jim Crooks, Dave Grendel, George Klepacz, Tom Narduzzi, Jim Riley and Anthony Togliatti. Also present were Finance Director John M. Veres, Law Director Greg O'Brien, Engineer Don Elewski, Community Services Director Natalie Buc, Technical Services Director Tom Avsec, Service Director Dave Snyderburn, Recreation Director Ed Kostyack, Pam Lemke in the absence of Building Commissioner Carl Opatrny, Asst. Fire Chief Frank Kruszewski in the absence of Fire Chief Peter Nelson and Police Chief John Nicastro.

Pastor Dan Smith of Momentum Christian Church said the prayer.

The Pledge of Allegiance followed.

AUDIENCE PARTICIPATION:

Mayor Kurtz called resident Gerry Chapek of Stone Road forward to speak.

Mr. Chapek stated, I've been a resident on Stone Road since 1983. I live on the bend in the road east of Tulip Trail as you head down the hill toward Haydite.

The back of the property is four lots. It has always been damp. As the years progressed it has turned into a swamp. In recent times it has become a chronic problem of standing water.

I first addressed the issue with the City in 2002. Director Snyderburn came out and took a look. Sometime in the mid 90's the City came out to resolve the drainage. They were there for a couple of hours and left never to return. It was a livable issue back then, however, currently it has reached a point where there is actually encroachment on dwelling property and something needs to be done. I noticed that the spillways were concreted at the top of the street recently. Something has to be done to improve the drainage down farther.

Last month I sent a letter to Mayor Kurtz. Hopefully it was seen and is in process. I appreciate the chance to personally present my problem. Any information I can provide. I have pictures over the years. I will be more than happy to work toward a successful resolution.

Mayor Kurtz replied, I did receive your correspondence. I would like you to speak with Don Ramm, our Engineering Coordinator. He'll coordinate with Dave Snyderburn and Don Elewski and the building department.

By way of a history, we did inspect it in the 90's and had a problem with getting an easement from one of your neighbors in order to make the permanent improvement that was proposed by our engineer. We'll look at this again. If you don't hear back from Don Ramm or Dave Snyderburn within 30 days, call me. Nothing will get done until the weather breaks. We will try and get something on the books. We will then take it to the Utilities Committee of Council and see if there is some reasonable repair that can be done.

APPROVAL OF MINUTES:

Moved by Crooks, seconded by Riley, to approve the minutes of the Council Workshop of February 11, 2008. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Crooks, to approve the minutes of the February 12, 2008 Regular Council Meeting. Council polled: 7 yes/0 no; motion carried.

MAYOR'S REPORT:

Mayor Kurtz stated by the time residents receive the Newsletter, Mother Nature will have hopefully passed and we will be entering the Spring Cleaning phase of the year.

During the first half of March we clearly endured the worst snowstorm we've had in decades, rivaling the infamous blizzard of 1978.

I cannot say enough about our employees, and specifically the Service Department, for their diligence and focus in making the streets of Independence safe and passable, especially when you consider the circumstances, including a shortage of street salt.

Our Service Department, safety forces and other loyal employees did a great job and I commend them.

In light of the storms we had, it also reminds us of the importance in maintaining and upgrading our service equipment and safety procedures. It takes people, equipment and organization to operate a City and we must constantly seek to improve. Although not perfect, we definitely stood out as a model city, and I commend all of our employees and understanding residents. Thank you!

I also want to again thank Council as last month they passed several pieces of legislation designed to create greater government efficiency and accountability by creating and expanding certain administrative level positions.

Specifically, we hired Heather Glaze as the first Human Resources Director. She is already making an impact by finding ways to take care of our most valuable resource – our City employees.

In addition, we've also hired Don Ramm as the new Engineering Coordinator, who will be focusing on infrastructure projects such as the City's 5-year capital improvement schedule, as well as other various projects throughout the year. His job is to follow the projects, and to follow the dollars. I'm confident this position will pay for itself in efficiency.

Ron White (Economic Development Director) will now be focusing 100% of his attention on the economic engine that fuels our lifestyle and creates future opportunities for our community. This is an extremely important task and I am glad that it will now receive full-time attention.

We have also begun to advertise for the Chief Administrative Officer position. You can see across the area other communities who have followed our lead and created similar such roles. I hope by this time next month I will be able to introduce our new CAO to the community. They will play a very key role in helping us to better serve the residents, and to allow me to focus more of my time and effort on the long-term direction of our community.

OFFICIALS' REPORTS:

ENGINEER:

Engineer Elewski reported that he is working with Don Ramm on Wisnieski Parkway, lower Brookside and creek and sanitary maintenance specifications. They are inspecting the Bramley gas line installation which is now complete.

FINANCE DIRECTOR:

Finance Director Veres reported on tonight's agenda we have Ordinance 2008-16, amending our Annual Appropriation. The main reason for the amendment is we're adding two new funds – the Cemetery Fund, which is Ordinance 2008-11 and a Home Days Fund, which is Ordinance 2008-18.

Also on the agenda is Ordinance 2008-17. We're reducing our short-term debt from \$8.3 million to \$7.7 million with a \$600,000 principal reduction.

SERVICE DIRECTOR:

Director Snyderburn stated I'd like to thank everyone for their patience during the snowstorm. It was a lot of work. If you have any problems, contact me and I'll be more than happy to help you.

There were some issues with senior driveways and I tried to personally take care of those. We'll try to do a better job next time. It was such a large amount of snow and it was tough for them to plow with their trucks.

I'd like to thank the DiGeronimos and the Haydite Mine for the donation of haydite to the City – the substance you see mixed with the salt. This was the idea of the Mayor and it has worked very well. Haydite is a lightweight reddish colored aggregate that is mined right here off of Stone Road. I can't thank them enough. It really made a big difference when mixed with the salt.

We're getting ready for spring which is two weeks away. We are in the process of ordering flowers.

Mayor Kurtz commented, on Sunday morning at 6:30 a.m. I received my first resident call. I called Dave Snyderburn. I went out and plowed while he was manning the phones. He did a great job. I give him a lot of credit. He was multitasking, doing whatever it took to get the job done.

COMMUNITY SERVICES DIRECTOR:

Director Buc reported since our last meeting we had our Tropical Beach Blast and it was very successful. I want to thank all who attended, participated and all those who helped with the event. I want to thank all the departments who helped out, especially the Rec Department.

We canceled our Breakfast with the Easter Bunny that was planned for this past Saturday due to weather and rescheduled it for Saturday, March 29th.

We are getting an updated version of our database package and will be trained on that at the end of the month. This will allow us to do online registration.

I want to thank Dollar General for their donation of young children's toys that we're going to put together for Easter for less fortunate children.

Jacob Riley was one of the winners of the Pie Eating Contest. The Niro Family won the Grand Prize of a trip to Cocoa Beach, which is an indoor water park in southern Ohio.

RECREATION DIRECTOR:

Director Kostyack reported that Saturday, March 15th is the National Honor Society's fundraiser at the Civic Center. Seventy five children will be playing games to raise money for the Society.

We have installed the keypads at the Civic Center. On the back of your pass there is a four digit number that you punch into the keypad and your picture will come up on the screen.

There is a high school track meet this Friday at the field house – the first one this year. March 24th is the opening of the high school baseball season.

TECHNICAL SERVICES DIRECTOR:

Director Avsec reported my son also won a pie eating contest.

We're in the process of working with Crown Castle for the tower relocation over to the Service Garage area. Right now the scope of work is being put together and I'm waiting to hear back from them on that.

In 2007 and 2008 we've put together a capital budget to replace the Historic Hall windows. It will be a maintenance free item that will maintain the integrity of the historical value of the building when it does officially become a historic building. The process of putting together the specifications will begin within the next week or two.

BUILDING COMMISSIONER:

In the absence of Commission Opatrny, Pam Lemke reported Dave Lynch and the City of Brecksville is helping out this week as needed while the Commissioner is on vacation.

Commercially, we have requested additional information from True North Shell regarding the location of the proposed driveway and signage.

From the Board of Zoning Appeals we had a resident on Brecksville Road coming before the Board with regard to parking a recreational vehicle in their side yard.

On the Architectural Board, a smaller sign was recommended to the Cornerstone of Hope with less copy on it. The building project is nearing completion and they expect final inspections within the next month.

Sign face changes have been approved for the Embassy Suites pending a review of the modified node sign.

With regard to residential issues we have two new homes that are nearing completion.

FIRE CHIEF:

In the absence of Fire Chief Nelson, Asst. Fire Chief Frank Kruszewski reported, I moved from Independence to Eastlake about four or five years ago. If you drive in Eastlake you will see what a blessed community Independence is. Your streets are as clear as can be. Good job Dave Snyderburn!

Resolution 2008-44 is \$15,000 for an extrication tool, which is the Jaws of Life. We appreciate the passage of that resolution.

POLICE CHIEF:

Chief Nicastro reported this past month we received a grant from the State of Ohio, a DARE Reimbursement Grant of \$21,700 to reimburse the salary of our DARE Officer Seamus McIntyre.

The Police and Fire Departments are hosting a vehicle safety seat inspection. If you have young children, you're required to have a car seat. You can bring the seat up to the Fire Station on March 13th, April 10th and May 8th between 3 p.m. and 6 p.m. for inspection to make sure it meets standards.

On April 1st Sergeant John Kurtz and Patrolman Joe Vanecek will be attending the International Law Enforcement Educator and Trainer Association Conference in Chicago this year. It's a very worthwhile event. Trainers from all over the United States meet. We hope they will come back with some good training ideas for our department.

STANDING COMMITTEE REPORTS:

COMMUNITY SERVICES COMMITTEE – (TOGLIATTI):

Councilman Togliatti reported the Cuyahoga Valley Regional Council of Governments held its annual meeting on Friday, February 29th at the Cuyahoga Valley Career Center. The organization is looking forward to working with the local municipalities to address numerous issues this year. As Council's representative, I will continue to update the community on the progress within this organization.

I have also become a volunteer to interview Independence High School seniors as part of the Independence High School and Cuyahoga Valley Career Center Mock Interview Program. The students I have had the opportunity to meet with were very impressive and well polished. I would like to compliment Supt. Laurenzi on the success of the school's strategic plan and implementation of practical programs such as the Mock Interview Program.

As Chairman of the Community Service Committee I am currently working with residents and the City Administration to formulate an agenda for our first committee meeting, which will be scheduled in this coming month.

UTILITIES COMMITTEE – (NARDUZZI):

Chairman Narduzzi stated I'd like to welcome our new Engineering Coordinator, Don Ramm. He will be a great asset to our team.

I had a meeting with Don Ramm and Dave Snyderburn and we drove around for a day inspecting various "hot spots" throughout the City. I would also like to thank Dave Snyderburn for taking time out of his busy schedule for that.

The Board of Zoning Appeals met on February 21st and approved a variance for a 65' radio tower at 6511 Elmarge. We also approved a variance at 5699 Eastview for a 12' x 16" accessory building. The Board tabled a request for a 3' side yard variance at 6830 Dora pending more information.

The Utilities Committee met on March 4th. The topics of discussion were, uncompleted projects from 2007, prioritizing creek and sanitary maintenance projects for 2008, bids for creek and sanitary maintenance, discussion of the dredging of Elmwood Lake and Londrico's pond and the water drainage issue on lower Brookside. As a result, the Clerk of Council has been authorized to advertise for bids for creek and sanitary maintenance when the specs are completed. With the help of Don Ramm we'll be prioritizing creek and sanitary projects for 2008 at our next meeting. The City is waiting for a permit from the Army Corps of Engineers before we can proceed with any work on lower Brookside.

PUBLIC LANDS AND BUILDINGS – (CROOKS):

As Chairman of the Public Lands & Buildings Committee I would like to thank the Committee Members for belaboring this topic of enhancing, updating and bringing to contemporary standards our cemetery policies. On the agenda tonight we have Ordinance 2008-14, the new policy that is being proposed and voted on tonight. I would again like to thank Vice Mayor Blaze and Councilman Togliatti. We have spent a good deal of time going over this.

I would like to thank Jeff Markley who provided us with some great information – comparing what we've done in the past with other communities. It has been helpful and useful information.

We discussed this at committee meetings of February 19th and March 4th. We understand that we're dealing with a very sensitive issue here. We're dealing with the issue of where loved ones will be buried and where people who are still alive will have the opportunity to go visit their loved ones. I think the committee tried to keep that in mind as we were formulating the policies. This isn't a bricks and mortar issue. This isn't where we put this building for that building. It's an issue of where loved ones will be long-term.

We made final decisions on the cost for gravesites, eligibility, opening and closing costs and creating a Cemetery Fund with Ordinance 2008-11. I want to thank the Committee, all members of Council and the Mayor who attended several meetings in the last month relative to this issue. We are bringing our rates and policies up to standards. They had not changed in 27 years.

We plan to have another Public Lands & Buildings meeting on April 22nd to discuss other items that need to be discussed.

Finally, I would like to bring attention to a resident who passed away over the weekend. Some Councilpersons have made it a practice of regularly reporting on people who are deceased. I think it's a good practice that I have not necessarily participated in, but nonetheless it's good to bring to light certain residents who have passed on. The person I'm going to mention now is Irene Klima. She lived on Serio Drive. A lot of times we hear about the people with familiar names who have passed on. Irene Klima was not well known because she was older, in her

upper 80's. Her husband had passed on about 30 years ago and she lived out the rest of her life with her brother-in-law on Serio. My wife, son and I got a chance to know her, even before I ran for office. What you didn't read about her in the obituary was that she had a garden that she loved. To my knowledge she didn't have any children and she would share stories with us about how Independence used to be. Every time my wife and I would leave she would tell us that she would pray for us. It's little known people like that that made a big impact on my life. Irene is an example of a person, and multiply that out by many residents, that is one of the reasons for my running for office in the first place.

FINANCE COMMITTEE – (BLAZE):

Chairman Blaze reported the Finance Committee is busy monitoring union negotiations. Council received an update this evening as far as the status of those negotiations with the bargaining units. We will have the results of that in the next month or two that will have a financial impact on the City so we're keeping on top of that.

We received an update on medical insurance this evening as far as the current status of medical insurance renewals. It's interesting to note that the last annual cost for the City's medical insurance premiums for its employees was \$2.068 million. That one line item accounts for over ten percent of the City's General Fund budget. The Human Resources Director, Heather Glaze, is doing a fantastic job coordinating this renewal, which begins on April 1st and extends for the next year.

Budget wise the Finance Committee has a number of ordinances and resolutions on the agenda again this evening. Most of them are approving various Capital Expenditures. I looked at the spreadsheet that Finance Director John Veres put together and for 2008 we're going to spend approximately \$1.5 million just for capital improvements to various buildings, equipment, various departments and so forth.

Including tonight's legislation if they're adopted, and I anticipate that they will be, through January, February and March we will have spent close to \$360,000 of that \$1.5 million. So we are almost 25% of the way and that keeps us right on track because we're close to one fourth through the year. Our Capital Expenditures are tracking exactly with the calendar year so we're on schedule with this part of the City's finances.

STREETS AND SIDEWALKS COMMITTEE – (RILEY):

Chairman Riley reported we held a Streets Committee meeting last week. We gave the Mayor authorization to get in touch with the street maintenance contractor with regard to redoing Wisnieski Parkway. Once that begins, traffic will not be able to cut through from Selig to Elmwood. This is a temporary inconvenience but this permanent improvement is much needed. We want the contractor to get in as soon as possible with the goal of having that project complete before the swimming pool opens. We are going try our hardest to get that completed on time. If we miss that goal, we apologize. We ask for your patience. Once the project is done it will be a much smoother ride.

Recreation Director Kostyack mentioned the new keypads. I know that people sometimes think that's an inconvenience to show your ID but it's really for the security of all of our residents. We want to make sure the people using our facility are residents and who they are.

People sometimes question what the Mayor does. This weekend he was out plowing. I'd like to thank him and his family business for doing that for the City. This was a storm like I've never seen in my life – that much snow in such a short period of time. Thank you very much on behalf of the residents.

SAFETY COMMITTEE – (GRENDL):

Councilman Grendel stated, as reported in the Admin Update, I'd like to congratulate Ryan Dailey who was recently awarded the 2008 Firefighter of the Year Award for Burn Prevention, an award presented by the Al Koran Shrine organization. We want to thank him for his dedication and commitment to educating children and adults in fire and burn prevention.

Tonight there are three resolutions we'll be approving for six new vehicles for the police department. This is the first year I can recall we're going to have different vehicles. Resolution 2008-42 is authorizing the purchase of two 2008 Dodge Chargers. Resolution 2008-43 authorizes the purchase of two 2008 Crown Victorias, and Resolution 2008-48 authorizes the purchase of a Ford Taurus and an Expedition. We will monitor and compare each of these vehicles to see how they perform. The total cost of these vehicles is approximately \$135,000.

As our Asst. Fire Chief mentioned, we're going to approve the purchase of a Genesis extrication tool (Jaws of Life) for the fire department – Resolution 2008-44 in the amount of \$15,200.

The Civil Service Commission will be conducting firefighter entry level exams later this year.

The Safety Committee will have their first meeting on Tuesday, March 18th at 5 p.m. We have a number of items on the agenda. I know we're not going to be able to resolve all those issues, but we'll get started for this coming year.

Several of our firefighters received thank you letters from residents in town for various services they provided in difficult medical situations. We appreciate the work that they do day in and day out.

The Winter Sports Award Program is going to be held tomorrow. I'll be reporting those results at the April council meeting. Various degrees of success were experienced by the different teams.

My son, Matthew Grendel, was fortunate enough to break two longstanding basketball scoring records this year. One was held by Dan Potopsky from the 1951/1952 season for the most points scored. Matt ended up with 581 points this year to beat Dan's record of 563 points from 56 years ago. Matt also broke the longstanding record of Mike Kurent for the best season scoring average of 26.1 points a game. Matt averaged 26.4 points a game this year.

I was fortunate to coach the JV team this year. There is some young talent coming up so the program will be in good shape in the years to come.

RULES AND ORDINANCES COMMITTEE – (KLEPACZ):

Councilman Klepacz stated my praises go out to Dave Snyderburn and the service department. They really went above and beyond the call of duty this past weekend during the snowstorm. I asked several residents who called me to be patient and not call Dave. They were very cooperative.

June 14th is almost upon us. June 14th is Flag Day. The Kiwanis of Independence is going to be sponsoring the Historic Flag Day Contest again. Be sure to look for the entry form in the May/June Spotlight. This year we're going to be giving away the first Navy Jack Flag. It has red and white strips with a snake on it. We will be presenting these flags to the winners at the second Band Concert of June 12th.

As far as legislation tonight I will not be supporting Resolution 2008-47, hiring a special consultant for labor issues. I believe we have the personnel in place – law department, human resources director and soon to be hired chief administrative officer who can supervise those particular issues.

LEGISLATION:

SECOND READING

ORDINANCE 2008-11 AN ORDINANCE CREATING A CEMETERY FUND AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Riley, to adopt. Council polled: 7 yes/0 no; motion carried.

ORDINANCE 2008-14 AN ORDINANCE AMENDING CHAPTER 953 OF THE CODIFIED ORDINANCES TO INCREASE THE CEMETERY FEES AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.

FIRST READING

ORDINANCE 2008-16 2008 AMENDED ANNUAL APPROPRIATION ORDINANCE
AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no;
motion carried.

Moved by Riley, seconded by Grendel, to suspend the rule requiring two separate readings.
Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

ORDINANCE 2008-17 AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF
NOTES OF THE CITY OF INDEPENDENCE, OHIO IN THE
PRINCIPAL AMOUNT OF \$7,700,000 IN ANTICIPATION OF
THE ISSUANCE OF BONDS FOR VARIOUS PURPOSES AND
DECLARING AN EMERGENCY

The Clerk of Council confirmed that she has been presented with the executed Fiscal
Officers Certificates by the Director of Finance.

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no;
motion carried.

Moved by Riley, seconded by Blaze, to suspend the rule requiring two separate readings.
Council polled: 7 yes/0 no; motion carried.

Moved Grendel, seconded by Riley, to adopt. Council polled: 7 yes/0 no; motion carried.

ORDINANCE 2008-18 AN ORDINANCE CREATING A HOME DAYS FUND AND
DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no;
motion carried.

Moved Blaze, seconded Grendel, to suspend the rule requiring two separate readings.
Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

ORDINANCE 2008-19 AN ORDINANCE AMENDING SECTION 630.04 OF THE
CODIFIED ORDINANCES OF THE CITY OF
INDEPENDENCE RELATING TO CURFEW AND
DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no;
motion carried.

Ordinance 2008-19 was placed on First Reading and referred to the Safety Committee without objection.

RESOLUTION 2008-25 A RESOLUTION AUTHORIZING THE PURCHASE OF BUILDING MAINTENANCE SOFTWARE FOR THE TECHNICAL SERVICES DEPARTMENT AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Riley, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-39 A RESOLUTION AUTHORIZING THE HIRING OF INTEGRATED CONSULTING SERVICES, LTD, FOR PROFESSIONAL SERVICES TO REPRESENT THE CITY IN MATTERS WITH THE OHIO BUREAU OF WORKERS' COMPENSATION AND IN ADMINISTRATIVE ACTIONS BEFORE THE OHIO INDUSTRIAL COMMISSION AND DECLARING AN EMERGENCY

Moved by Narduzzi, seconded Riley, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Riley, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-40 A RESOLUTION AUTHORIZING THE ADDITIONAL EXPENDITURE FOR THE RETENTION OF ELEWSKI & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ROCKSIDE ROW EAST SECTION AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Riley, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-41 A RESOLUTION AUTHORIZING THE PURCHASE OF A STAINLESS STEEL DUMP BODY FOR THE SERVICE DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Togliatti, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Riley, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-42 A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) 2008 DODGE CHARGERS FOR THE POLICE DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Blaze, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt. Council polled; 7 yes/0 no; motion carried.

RESOLUTION 2008-43 A RESOLUTION AUTHORIZING THE PURCHASE OF TWO 2008 CROWN VICTORIA POLICE INTERCEPTOR UNITS FOR THE POLICE DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Grendel, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-44 A RESOLUTION ACCEPTING THE PROPOSAL FROM HOWELL RESCUE SYSTEMS FOR THE GENESIS EXTRACTION TOOL FOR THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Togliatti, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-45 A RESOLUTION AUTHORIZING THE HIRING OF WOLVERINE FIREWORKS DISPLAY, INC. FOR PROFESSIONAL SERVICES FOR THE JULY 3, 2008 FIREWORKS DISPLAY AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-46 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE 2007/2008 ROAD MAINTENANCE AND REPAIR CONTRACT BETWEEN THE CITY AND ANTHONY ALLEGA CEMENT CONTRACTOR AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt.

Discussion: Councilman Riley stated that Don Ramm and Engineer Elewski need to make sure the water issues are addressed with regard to Wisnieski Parkway so that the project can begin.

Mayor Kurtz replied we'll keep Council up to speed in terms of progress.

Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-47 A RESOLUTION AUTHORIZING THE HIRING OF J.F. LENCEWICZ & ASSOCIATES AS A CITY LABOR RELATIONS REPRESENTATIVE AND LABOR RELATIONS CONSULTANT AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Narduzzi, to suspend the rule requiring two separate readings. Council polled: 5 yes/2 no (Grendel, Klepacz); motion carried.

Moved by Riley, seconded by Crooks, to adopt.

Discussion: Mayor Kurtz stated that it should be noted that this legislation was amended to reflect a cap of \$25,000 on it.

Council polled: 5 yes/2 no (Grendel, Klepacz); motion carried.

RESOLUTION 2008-48 A RESOLUTION AUTHORIZING THE PURCHASE OF A 2008 FORD EXPEDITION AND A 2008 FORD TAURUS FOR THE POLICE DEPARTMENT THROUGH THE UNITED STATES GENERAL SERVICES ADMINISTRATION (GSA) PROGRAM 1122 AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Grendel, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Riley, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.

RESOLUTION 2008-49 A RESOLUTION AUTHORIZING THE HIRING OF EDP CONSULTANTS, INC. FOR A TIER 1 SOURCE INVESTIGATION AS REQUIRED BY THE BUREAU OF UNDERGROUND STORAGE TANK REMOVAL AND DECLARING AN EMERGENCY

Moved by Grendel, seconded by Riley, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to adopt.

Discussion: Mayor Kurtz stated that this is regarding the tanks that were removed from the Service Department area back in the 90's. We need to file a special report with the EPA. It's a matter of making sure we're in compliance and have filed the proper paperwork. We're hiring this company to assure that this is being done properly.

Council polled: 7 yes/0 no; motion carried.

MISCELLANEOUS BUSINESS:

Mayor Kurtz wished everyone and their families a Happy Easter.

Moved by Riley, seconded by Grendel, to adjourn the Regular Council Meeting. Council polled: 7 yes/0 no; motion carried.

There being no further business to discuss, the Regular Council Meeting was adjourned at 8:23 p.m.

Susan E. Kurshuk, Clerk of Council
