

**CITY OF INDEPENDENCE
REGULAR COUNCIL MEETING MINUTES
MAY 13, 2008 7:00 P.M.
COUNCIL CHAMBERS**

CAUCUS:

Mayor Kurtz called the meeting to order at 5:42 p.m. Present were Council Members Jim Crooks, Dave Grendel, George Klepacz, Tom Narduzzi, Jim Piteo, Jim Riley and Anthony Togliatti. Also present were Finance Director John M. Veres, Law Director Greg O'Brien, Engineer Don Elewski, Police Chief John Nicastro and Engineering Coordinator Don Ramm.

Mayor Kurtz stated, on Second Reading is Ordinance 2008-19 regarding curfew.

Councilman Grendel stated we thoroughly discussed this at the Safety Committee meeting last week and recommend passage. It's going to simplify curfews. This is for the entire year. It's not broken up into different seasons. It also simplifies the ages. For ages 16 and 17 we have a set curfew. Then for ages 14 and 15 is set and then ages 13 and younger. Angie Zeleznik received feedback from our community and has also checked with other communities. As a Committee we endorse the passage of this legislation.

There were no objections noted to passing Ordinance 2008-19.

Mayor Kurtz stated on First Reading we have Ordinance 2008-25, 2008 amended appropriation.

Finance Director Veres stated one revision is to the Tree Fund. We talked today with Carol Stokar, Bob Williams and Tim Tomko. It makes sense to encumber a subdivision on a single purchase order per subdivision. In order to do that, I'm amending this \$2,500 appropriation to \$12,000. There is enough money in the fund because we get money in from a developer and then buy trees with that.

There were no objections noted to passing Ordinance 2008-25.

Mayor Kurtz stated Ordinance 2008-26 regarding oil and gas wells.

Councilman Klepacz stated I'm assuming this is repealing ours because the state took control away from the City.

Mayor Kurtz commented, by way of information, I did attend a meeting in Columbus. Mayors met with legislators and Governor Strickland's office. There is enough energy out there right now to try and modify this to give local municipalities a little more control. I'm not sure when there will be something of substance that they'll act on, but they're getting hit with enough information that warrants a discussion. I envision that there will be some changes which will maybe give more local control – not this year, but I would envision maybe sometime next year.

Councilman Klepacz asked about the drilling at the top of Hillside near the Independence/Seven Hills border.

Mayor Kurtz responded, Carl Opatrny did talk to ODNR about what was going on. He got the permit application. It's just a typical gas well.

Councilman Klepacz asked, who owns that property?

Mayor Kurtz replied I'm not sure. I don't remember seeing the acreage that was involved. The one on Sprague Road that I saw delineated all the different owners.

We were approached by several landowners further north of that existing well that abuts Scenicview and Brookside where they were asked to participate in a second well. Those are the only two in that area.

There will be information coming forward. I had a meeting with Bass Energy. They have secured additional properties in the center of town. One of them incorporates the old middle school property. When that becomes more formalized we'll talk about that. I'll present that to the Public Lands & Buildings Committee and then Council can enact in our inclusion in that potential well in that area.

The school board has an additional well planned. I will abstain from participating in that one because it involves our family's property.

The one on top of Hillside I just don't know the acreage. I'm not sure if it has to do with Perrico's property and how much of it. I can get a copy of that if you like.

Councilman Klepacz replied I was just curious.

Councilman Grendel commented, I think that originates in Independence. The first house in Seven Hills is a client of mine. They had to review the lease. They didn't know whether to sign. They ended up participating.

Councilman Riley commented I know we did the one here with Bass Energy. Can the City do one on their own?

Mayor Kurtz asked, you mean get a driller in and pay for it?

Councilman Riley responded, I think we should look at converting some of our trucks to natural gas power, especially with the cost of gasoline.

Mayor Kurtz stated the map I saw showed our property but there were additional properties involved. I think ours was 16 acres of the 20 acres. If we wanted to do that, they're about \$325,000 to \$350,000 a well, if we wanted to be the risk taker.

Councilman Riley asked, what do we spend on fuel per year after the recent increases?

Law Director O'Brien commented, assuming that there is gas. A small number of these come up dry.

Councilman Grendel added, I don't know if we want to take the risk.

Mayor Kurtz added, although Concordia and the Research Center have done very well.

I'll ask them for a copy of the well production to date and what we've gotten out of that property. I'll put that together and submit it in your packets on Friday.

Vern Blaze commented I'll be interested in seeing how well that does on the top of Hillside because the one guy that's drilling a second well in the Scenicview/Sprague area said that the further west you go closer to Broadview Road into Seven Hills, the least productive those wells are, which is why you're finding most of them in Independence.

Mayor Kurtz stated next is Ordinance 2008-27, amending the Five Year Plan. Basically, we're asking for more time to get the department heads to outline and delineate their requests for five years. Then John Veres and our people will then compile that and we'll comply with the ordinance.

Finance Director Veres asked, just for this year?

Mayor Kurtz replied just for this year. Once we're on track we'll repeat that every year.

Mayor Kurtz stated Ordinance 2008-28 is regarding right-of-way.

Councilman Grendel asked are we going to pass this tonight?

Mayor Kurtz replied we could discuss it. I'm not sure how time sensitive it is. Basically we're just trying to clarify any work that's done in the right-of-way – whether it's performed by a contractor or by a homeowner. We want to clarify who is responsible for notifying the City. There are times when we aren't in a position to understand, because we don't follow everything that is going on on every street. We have a pretty good network of people out there between the police, our inspectors and various department people. If you want to leave that on first reading it's not time sensitive.

Councilman Grendel asked, it says approved by the City Engineer/Public Service Coordinator. Is that Don Ramm?

Mayor Kurtz replied Don Ramm.

Councilman Crooks asked, is there something that's prompting this – an incident or something?

Don Ramm replied not that I'm aware of.

Several people speaking at once.

It was agreed to place Ordinance 2008-28 on first reading and refer it to the Public Lands & Buildings Committee for discussion.

Mayor Kurtz stated Ordinance 2008-29 is regarding fees for copies of documents. Finance Director Veres said he'd like to change the rate structure. People come in for 3 or 4 pages and it costs us more time and energy just to record the record the transaction than it's worth. So we're just updating our fees.

Councilman Togliatti asked was there already fees existing?

Mayor Kurtz replied yes.

There were no objections noted to passing Ordinance 2008-29.

Mayor Kurtz stated next is Resolution 2008-64, clarifying the performance fees for the City Engineer. We have a provision in our contract that talks about percentages as well as hourly work. This takes away any question relative to how we're going to pay our engineer relative to the request for work. It eliminates the percentage unless there is a full project that has been authorized. The issue comes up with Wisnieski Parkway. That's what prompted this. Don Elewski brought it to our attention so we looked at it. We needed to clarify this.

Vern Blaze added, I think the key part of this is for actual work performed now instead of just the (inaudible).

Mayor Kurtz replied right. Before, if we authorized a project and there was an estimate, Don Elewski would have the ability to bill us based on a percentage of the actual cost of the job, based on the contract with the contractor. In the case of our maintenance contract, where there was no fixed contract, we used the estimates from our maintenance contract, Don Elewski brought to our attention that he may be entitled to some additional compensation, even though Don Ramm did the additional work. So when he brought this to our attention we sorted through it and decided it's best to clarify the contract. When the contract was put in place we didn't have Don Ramm's position. Now that we have Don Ramm's position, it necessitated changing the contract.

Councilman Grendel asked, so we're going away from the percentage basis and will go strictly on work performed?

Mayor Kurtz replied, if we do a road project and Don Elewski is the engineer for that road project over \$50,000, he would still be entitled to a percentage. There is no monetary change in this resolution.

Councilman Grendel commented, it just clarifies.

Mayor Kurtz added, it just clarifies that one component that Don Elewski brought to our attention.

There were no objections noted to passing Resolution 2008-63.

Mayor Kurtz stated Resolution 2008-64, expressing appreciation to Robert Longano speaks for itself.

Resolution 2008-65 is for our uniforms.

There were no objections noted to passing Resolution 2008-65.

Mayor Kurtz stated Resolution 2008-66 regarding children's booster seats was discussed at the Safety Committee meeting.

Councilman Grendel stated this transpired due to a letter that the Mayor received from one of the hospitals. The Committee decided to endorse this. Basically we're endorsing the passage in the House of this legislation. It would require booster seats for children eight and younger that are less than 4'9" tall. I believe that they said the cost of these seats are \$20 or less. I think if the state passes this, there will be federal funding for this.

Councilman Riley added, we're also going to incorporate this into our car seat program.

Vern Blaze added, this Bill had bipartisan support. It's being introduced by members of both parties.

Councilman Klepacz commented I'm surprised Ohio didn't already have this law. Minnesota has had it for years.

Mayor Kurtz stated next is Resolution 2008-67. Do we want to talk about this in Executive Session?

Law Director O'Brien replied yes.

Mayor Kurtz stated we'll move on to Resolution 2008-68, accepting the bid of United Survey. Are there any questions on that?

Councilman Riley replied I think it should be pointed out that the second bidder was much lower, but we couldn't accept the bid because they only bid on a portion, not all of it. They couldn't do the other work.

Finance Director Veres commented, there is no "not to exceed" in the resolution.

Mayor Kurtz replied I think the cap would be our maintenance contract.

Finance Director Veres responded but we typically do. It would be \$150,000.

Moved by Riley, seconded by Narduzzi, to amend Resolution 2008-68 to read, in a total amount not to exceed \$150,000. Council polled: 7 yes/0 no; motion carried.

Mayor Kurtz stated Resolution 2008-69 is accepting the proposal of CRIS for the dispatch system.

Councilman Grendel commented, it's the same as last year.

There were no objections noted to passing Resolution 2008-69.

Mayor Kurtz stated Resolution 2008-70 for repairs to the firing range.

Chief Nicastro explained, we had some maintenance done on the range. We had an environmental company come in and clean out the lead in there. When they cleaned that out, we already knew that we had to replace a couple of deflector plates. Meggitt came out and there was more that needed to be replaced than we thought. Everything that is being replaced is original and is 26 years old. Most of it is pretty much covered with lead. It's an environmental issue. Meggitt is the only one that manufactures the plates that go into this range.

Finance Director Veres added, we're using prior year purchase orders for this repair.

Councilman Grendel asked didn't we have other work done on the range?

Finance Director Veres replied new side walls.

Ron White added that was done in-house.

Chief Nicastro stated all the work we had done in-house is still in excellent shape. These are deflector plates in the ceiling, top and sides of the range that are original.

Councilman Grendel added, and the range gets extensive use, not only from our force, but also from outside agencies.

Finance Director Veres stated the Chief already has the purchase order numbers that he can use.

There were no objections noted to passing Resolution 2008-70.

Mayor Kurtz stated last would be Resolution 2008-71, accepting the bid of ProForma for the second year of the contract for the Spotlight.

There were no objections noted to passing Resolution 2008-71.

Councilman Grendel asked, the Newsletter is going out to bid then?

Mayor Kurtz replied right.

Councilman Grendel asked when will be the bids be in?

The Clerk replied, May 20th.

Councilman Grendel asked will Community Services review it or will the Finance Committee?

Mayor Kurtz replied I don't care.

Councilman Togliatti replied we'll be having a Community Services meeting soon.

Mayor Kurtz stated, at this time I think it would be appropriate to go into Executive Session to talk about Resolution 2008-67. The Law Director will talk about the impact.

Moved by Grendel, seconded by Riley, to recess the Council Caucus for an Executive Session to discuss pending litigation. Council polled: 7 yes/0 no; motion carried.

The Council Caucus was recessed at 6:03 p.m.

The Executive Session was convened at 6:04 p.m. Present were Council Members Crooks, Grendel, Klepacz, Narduzzi, Piteo, Riley and Togliatti. Also present were Law Director O'Brien and Chief Administrative Officer Vern Blaze.

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

The Executive Session was adjourned at 7:02 p.m.

The Council Caucus was reconvened at 7:03 p.m.

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

The Council Caucus was adjourned at 7:04 p.m.

COUNCIL MEETING:

Mayor Gregory Kurtz called the meeting to order at 7:07 p.m. Present were Council Members Jim Crooks, Dave Grendel, George Klepacz, Tom Narduzzi, Jim Piteo, 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, Building Commissioner Carl Opatrny, Fire Chief Peter Nelson and Police Chief John Nicastro.

Reverend Dan Burgoyne from Northeast Ohio Church said the prayer.

The Pledge of Allegiance followed with the Color Guard.

PRESENTATION:

Mayor Kurtz read and presented the Independence Police Department with a Proclamation in honor of Police Memorial Week and Police Memorial Day. May 13, 2008 was proclaimed Police Officers' Memorial Day in the City of Independence.

SWEARING-IN:

Mayor Kurtz stated, as many of you know, recently there was a vacancy created in a council position. Council deliberated, went through an extensive review process and chose someone who has been here for a long time, someone who is committed to the community, someone who has a passion for this community.

Mayor Kurtz swore in Councilman Jim Piteo.

PRESENTATION:

Mayor Kurtz stated, I am honored to present another Proclamation to someone who has known me all my life. I can't say I've known him all his life but he has known me all my life. I would like to have Mr. Bob Longano come forward.

Mayor Kurtz read and presented a Proclamation to Robert Longano commending and expressing appreciation for his distinguished service to the City of Independence. May 13, 2008 was proclaimed to be Robert F. Longano Day in the City of Independence.

APPROVAL OF MINUTES:

Moved by Grendel, seconded by Crooks, to approve the minutes of the Regular Council meeting of April 8, 2008. Council polled: 6 yes/0 no/1 abstain (Piteo); motion carried.

Moved by Riley, seconded by Grendel, to approve the minutes of the Special Council meeting of April 15, 2008. Council polled: 6 yes/0 no/1 abstain (Piteo); motion carried.

Moved by Riley, seconded by Crooks, to approve the minutes of the Special Council meeting of April 22, 2008. Council polled: 6 yes/0 no/1 abstain (Piteo); motion carried.

Moved by Grendel, seconded by Riley, to approve the minutes of the Special Council meeting of April 29, 2008. Council polled: 6 yes/0 no/1 abstain (Piteo); motion carried.

Moved by Riley, seconded by Grendel, to approve the minutes of the Special Council meeting of May 6, 2008. Council polled: 6 yes/0 no/1 abstain (Piteo); motion carried.

MAYOR'S REPORT:

Mayor Kurtz stated, first I would like to acknowledge the Senior Organization. I had the privilege of representing the City by presenting them with a Proclamation last week in honor of their 50th Anniversary. I used to say that's more years than I am old, but I can't say that about

the Senior Organization anymore. As a matter of fact, pretty soon I'll be able to join your organization.

I would like to acknowledge Police Memorial Week, and I think a moment of silence for our fallen officers would be in order.

Mayor Kurtz paused for a moment of silence.

Mayor Kurtz continued, life is about beginnings and endings. In the beginning category we have Jim Piteo as a newly elected Councilman. I want to congratulate Jim and his family. Jim is a long-time resident of the City of Independence. He's a young man that works hard for our community. Everyday you can see him driving around the City. I thought he was a Councilman for the last couple of years for as much time as he spent around City Hall. His common sense approach and ability to relate and communicate with others will be valuable tools as we go forward. Jim, remember what I always said, the important thing is to make decisions, make good decisions and stand by your decisions. I have all the confidence that you'll do a good job serving the community.

I also want to congratulate Jim Riley for being elected Vice Mayor. You'll do a great job. Jim is also one of those go to guys. He's always running around trying to solve people's problems, and I think your Council colleagues respect that and showed their appropriate appreciation by electing you Vice Mayor this evening.

I also want to talk about endings. I would be remiss if I didn't mention Dorothy Ornas. Many of you know that Dorothy worked for the City before I became an elected official back in 1982. She worked her way up from secretary in the Service Department to the first female Service Director. She worked very closely with Ed Kostyack, the Rec Director, in developing one of the finest facilities we have had in this community, the Civic Center. She was also the first Community Services Director. I can go on and on about Dorothy and her legacy, her hard work and passion for our community after we opened the Civic Center. She spent a lot of time over the years doing what she believed was best for the City of Independence and the people of Independence. We both learned that from her father, Augustine Topolski, who told me to always put blinders on and do what you believe is best for the City. Well, Dorothy, you did put blinders on and worked hard, and the results are evident. There is evidence throughout the entire community of your efforts. Like I told her the day before she died, job well done. You leave the City better than you found it. You will be missed, but your legacy will live on.

And next, Bob Longano, Mr. Longano still, it's not hard not to talk about a man I've known all my life, a man that incorporated our first business at his house in 1974, a man whose lovely, gracious and beautiful wife, Gloria, has been by his side for 65 years. The Longano family has played a tremendous part in my life personally, and our entire family. My dad and Bob went back many, many years, and their friendship endured through my entire lifetime. We are all blessed and thank you for all you've done for our community. I can't say enough about the kind of person you are, the man you've been for this community, your impact on this community, your legacy, what you've accomplished. From the bottom of my heart, as a friend, and as the Mayor, I say thank you.

I see out in the audience two men with tremendous integrity, Vern Blaze and Bob Longano – two men that I have a lot of respect for. I value your judgment, value what you've done for this community. And Bob, what you'll continue to do for this community. I can't thank you enough, Bob and Gloria, for your friendship throughout the years. God Bless you both.

OFFICIALS' REPORTS:

ENGINEER:

Engineer Elewski reported we've been working on several projects with the coordinator, Don Ramm. We are providing survey information on Stone Road for the completion of the sidewalks. Also, we are looking at the additional lane on Rockside Road for a possible right turn onto the southbound ramp of I-77. That is on hold right now. We are studying the traffic signal at the intersection of Hillside Road and Route 21. We are looking at the relocation of the all purpose trail on lower Hemlock. That is also on hold right now. On lower Brookside we're working on final plans and bid proposals for work through the park area.

FINANCE DIRECTOR:

Finance Director Veres reported, on the agenda tonight is Ordinance 2008-25, an amendment to our annual appropriation ordinance. The main reason for this is a couple of change orders to finish off Wisnieski Parkway. It looks really good. The contractor has done a fantastic job.

I'd also like to report that for the fifth straight month this year our collections are higher than the month prior. Hopefully we'll keep trending that way.

SERVICE DIRECTOR:

Service Director Snyderburn reported we're now delivering compost. If you're interested in any, please call us. We've delivered approximately 150 loads already. All you have to do is sign a waiver and we'll give it to you. We have plenty of compost this year.

We're cutting a lot of grass and planting a lot of flowers and will continue to do so.

A couple of weeks ago I attended Tree City USA with Dee Dee and Dorothy from the Garden Club. It was a very nice all day event which was held in Cuyahoga Falls. This is the sixth year that Independence has been named a Tree City. It involves proper planting of treelawn trees and trees throughout the City. It's more than just planting trees. It's a thought process. It's wonderful to belong to this organization as a Tree City.

I'd like to congratulate Ron Miller and his wife on the birth of healthy twin boys.

COMMUNITY SERVICES DIRECTOR:

Director Buc reported the Community Service Department is hard at work planning all the events for summer. The first event coming up is the Mayor's State of the City Breakfast. It will take place on May 22nd. We have the summer Concerts on the Square beginning on June 6th. This year we have something new for the teens, our Teen Summer Concert, on every Saturday night in June. This will be something for the kids to audition for and play at the Square. We have our second annual Movie on the Square coming up in June.

RECREATION DIRECTOR:

Director Kostyack reported that we have established our Youth Baseball Teams for the summer. We have 41 teams – Boys Hardball and Boys Softball. We have eight Boys Travel Teams and eight Girls Fast Pitch Teams participating in the Emerald Necklace. That's a total 57 teams.

We will be opening Elmwood Pool on May 25th.

I agree with John Veres that Wisnieski Parkway looks very good.

We have a Memorial Day tournament with 71 games being played over the weekend – Boys U-8, U-10, U-11, U-12 and U-13.

TECHNICAL SERVICES DIRECTOR:

Director Avsec congratulated Jim Piteo on his new position on Council.

The installation of the outdoor pool air conditioning unit is about 50% complete. The ductwork is in and the electrical is close to completion. The new unit is scheduled to ship on June 6th. We should be completed with this project by June 15th.

RCU Architects is working on putting together bid documents for Historic Hall window replacement. We expect that to go out to bid by the end of June.

Finally, the equipment and materials have been ordered for our service department HVAC.

BUILDING COMMISSIONER:

Building Commissioner Opatrny reported we have a new commercial office tenant in town, SIRVA. They have taken over 55,000 square feet of space on Oak Tree. This is a very nice addition to the City.

Beginning next month the Building Department will be completing exterior maintenance property inspections throughout the City, so you may see inspectors coming around. If there are any problems that a resident may have, please call the Building Department.

FIRE CHIEF:

Chief Nelson reported that two of our firefighters, Ryan Dailey and Mark Coyner, will be receiving the Chris Holt Award from Metro General Hospital on May 23rd. This was the result of a tragic incident that they responded to, in which there was a significant rescue and treatment of an individual injured at a worksite. The individual lost both arms and our fellows treated and transported him successfully to the hospital where he did survive. Physically he's doing okay. I'm sure he's dealing with those injuries in his own way.

Also, on behalf of all of the firefighters, I'd like to congratulate Frank Aiello. He will be taking the Oath of Office tomorrow as a full-time firefighter. Frank is currently a part-time firefighter for the City of Independence who has been with us for five years. He comes with all his required state certifications.

POLICE CHIEF:

Chief Nicastro stated I'd like to thank the Mayor and Council for the Proclamation recognizing Police Memorial Week.

Independence is a member of the George Murray FOP Lodge 67. They will be holding their Memorial Parade and Ceremony tomorrow. It takes place at Stafford Park in Maple Heights. The parade will run from Maple Heights Boulevard to Lee Road, where the ceremony will be at the War Veterans Memorial. Any member of the public who is interested is welcome to come back to St. Andrews Church for food afterwards.

Graduation time is fast approaching. I would like to remind everyone, especially parents who are hosting parties, the City's Ordinance 612.02 strictly prohibits serving underage (under the age of 21) people alcohol. It also makes it illegal for a homeowner to knowingly allow underage kids to drink on their premises. It holds you criminally liable. In the event that something unfortunate should happen, you may very well be also civilly liable. Please try to keep the kids safe.

There is a significant road project starting on I-77. ODOT is going to add two lanes from Rockside Road to approximately Miller Road. That work will begin this month. You will be seeing a lot of activity up there. The project is going to continue through 2011. Those lanes are expected to be open in the fall of 2011. If you have any questions, feel free to call the Police Department and we'll answer them as best we can.

MOTION:

Moved by Narduzzi, seconded by Crooks, to appoint Councilman Jim Riley as Vice Mayor. Council polled: 7 yes/0 no; motion carried.

SWEARING-IN:

Mayor Kurtz swore in Councilman Jim Riley as Vice Mayor.

MOTION:

Moved by Riley, seconded by Klepacz, to appoint Councilman Dave Grendel as the Council Member to the Planning Commission. Council polled: 7 yes/0 no; motion carried.

STANDING COMMITTEE REPORTS:

COMMUNITY SERVICES – (TOGLIATTI):

Councilman Togliatti stated, there has been much activity on Council since we met at our Regular Council meeting in April. Over the course of the past 30 days Council has accepted the resignation of our vice mayor. We met multiple times to determine procedures for the selection of a new council member, met to interview the prospective council candidates, then met again to vote on the appointment of our new council member, and tonight appointed our new vice mayor.

I, as a Councilman and a representative of the City of Independence, feel I must explain the reasoning behind my voting the way I did regarding both the resignation of Vern Blaze and the appointment of Councilman Jim Piteo.

As you all know, I did not support the legislation creating a new chief administration officer position. If any of you read the Plain Dealer front page article on April 14th, entitled, *Suburbs Making Serious Cuts to City Budgets*, you're aware of the challenges that municipalities in Northeastern Ohio are currently facing. The article explains how spiraling costs and plummeting revenues are forcing towns to eliminate jobs. It states that skyrocketing oil prices drive up costs for everything from diesel fuel and gasoline to asphalt and lawn care chemicals. Also, healthcare costs, a huge part of every municipal budget, continue to rise faster than inflation rates.

The article further gives examples of well-to-do suburbs struggling with their budgets:

1. Bay Village found itself staring down a \$1 million budget hole.
2. Lakewood is laying off 45 workers and outsourcing more jobs, while it addresses a \$4.5 million shortfall.
3. Westlake will now charge for ambulance services to cover a \$1.5 million shortfall because it has seen a \$38 million decrease in real and personal property value within its city.
4. North Royalton and Avon have increased their income taxes to help deal with budgetary problems.

I'm not trying to infer that Independence will have a budget deficit in the coming year, but anyone can plainly see that most every community around us, even communities such as Westlake, Avon and Bay Village, are struggling. The fact that the economy is hurting, costs are up and I feel the City should tighten spending practices is why I opposed the creation of a position that can pay up to \$93,000 for a chief administration officer.

I also voted against accepting the resignation of Vice Mayor Vernon Blaze.

May I take you back to the campaign for City Council in November of 2007? During his campaign Vern Blaze produced a “Popular Annual Financial Report” for the City of Independence. This is a 17-page booklet that was mailed to every residence in the City. Within this booklet Vern Blaze paints a picture of the City’s finances using phrases such as, “The City of Independence’s recent financial performance and current financial condition is nowhere as good, positive and healthy as some have led you to believe.” That is from page one. And, “the City has gotten a little ahead of itself as far as taking on all this debt” – page three. “The City of Independence’s financial condition has deteriorated” – page six. He then goes on to state that the City has a “Large looming financial problem”, which is on page nine.

Even though Vern Blaze informed us that the City is hurting financially, he was in favor of creating new positions, which amounts to an increase in yearly operating expenses for the City of close to \$250,000. There appears to be a major disconnect of logic here.

The main reason I voted against accepting the resignation of Vern Blaze is primarily because Vern campaigned on a platform of financial hardship in Independence, then voted to create a position that pays up to \$93,000 and then resigned to take the position.

I will now address my reasoning for not supporting Jim Piteo for a candidate for Council.

In Council’s interview Mr. Piteo responded to a few questions that I felt were not in the best interests of the residents of the City of Independence. Mr. Piteo stated, “I would support apartment living if done properly, and the Cavs kind of stole an idea of mine...If you slap condominiums on that hillside, apartments maybe, away from the center of town.” Now I know, and I believe the rest of Council knows, the residents of this City are not in favor of apartments or condominiums. Jim then went on to state “I think we have Pleasant Valley Road. I think we have Rockside Road. We have the extension of Route 21 down there toward the Cloverleaf. I think we have enough office buildings.” Again, we all know that more business and more office buildings equal more income tax and more property tax revenue - something that all cities need in a time of economic tough times. It was these statements, along with others, that forced me not to support Jim Piteo. However, now that Jim has been appointed, I understand that we all have different opinions and different viewpoints, and am looking forward to working with Mr. Piteo for the next year and a half.

Lastly, I would like to congratulate the Independence Senior Organization on 50 successful years and would like to thank them for including all of us on Council for the celebratory luncheon.

UTILITIES COMMITTEE – (NARDUZZI):

Councilman Narduzzi stated, first of all, Bob Longano, I congratulate and thank you for the years of service and 65 years of marriage to Gloria.

On April 6th the Utilities Committee met to prioritize the 2008 Creek Maintenance schedule. Of the 22 items on the agenda, we have approved sixteen thus far. The first 12 will come out of the creek maintenance budget for 2008. Four will be completed by the Service Department, and three will be bid out as capital improvement projects. We are currently leaving money in the

budget for cost overruns and/or emergencies. If monies are available, we will continue to work down the prioritized list.

Bids for our 2008 sanitary sewer maintenance have gone out. We will be prioritizing those projects at our next meeting.

The Zoning Board of Appeals met on April 17th. The Board granted a ground sign for the Cornerstone of Hope, a temporary banner at Embassy Suites for Mothers Day, and a sign replacement at 4807 Rockside Road, caused by the widening of Rockside. Tabled until next month, was a request for a second ground sign at 5005 Rockside Road for Mavis Winkles.

I would like to take this time to congratulate Jim Piteo on being sworn in as our new Council Member. I supported Jim's efforts on filling our vacant council seat because I believe in listening to the voice of the people. Mr. Piteo fell short by only 38 votes, but continued to attend all Council meetings, ARB meetings, Planning Commission meetings and all Committee meetings. I believe that Jim will hit the ground running and be a vital part of keeping our City moving in a positive direction.

PUBLIC LANDS AND BUILDINGS – (CROOKS):

Chairman Crooks stated, reporting from the Public Lands & Buildings Committee, the Committee had a meeting on April 22nd. At that meeting we discussed a number of items. One of those items included a potential partnership between the City and the Ohio Cemetery Alliance. A resident presented us with an opportunity for residents to purchase decorative bricks, either for a deceased family member or after the fact. I think it's an interesting opportunity, and I want to thank Mr. John Stoika for presenting that opportunity to us. The Committee made that recommendation and I believe the City is going to pursue that.

We also discussed some potential upgrades at the Old Rec building. Tom Avsec is taking care of that for us.

Councilman Klepacz has talked about a dog park in the past. The Committee discussed a potential dog park in response to several residents who either called me or other Council Members. The recommendation from the Committee was to send that to a Council Workshop. Now that we've completed some of the councilmanic responsibilities we've had in the last month, I'm sure this topic will be on an upcoming agenda and you can be rest assured that we will be discussing the potential of a dog park in Independence.

Our next meeting is scheduled for the third Tuesday in June. Mark you calendar. The public is free to attend.

As a member of the Finance Committee I need to make a motion.

Moved by Crooks, seconded by Grendel, to set a Public Hearing for Tuesday, June 10th at 6:55 p.m. regarding the 2009 Tax Budget. Council polled: 7 yes/0 no; motion carried.

As some Councilmen have already mentioned, Council has been busy. We have had weekly meetings, which is unusual for Council. I believe that it was in the public interest that we had these meetings, and I would like to formally congratulate Jim Piteo on filling the Council vacancy. I supported Jim Piteo. There were two candidates in the running for this position. The other candidate was Jackie Haddad. And I want to make clear for the public record that my vote for Jim Piteo was certainly not an anti-Jackie Haddad vote. I believe that Jackie and myself may line up on some important issues. She has certainly been involved relative to the Downtown Redevelopment Committee that was created a few years ago, and also the Charter Review Commission. But I supported Jim Piteo for a couple of very good reasons and I'd like to make sure that the public is aware of that right now.

One, Jim Piteo was a candidate for Council last fall. I think that distinguishes him apart from other potential candidates for the Council vacancy. Jim Piteo made his intention to run for Council last fall, and I think that is certainly of merit for him in his choice to fill the vacancy.

Jim also finished eighth in a contest that selects the top seven. Not only did he run for Council, but he finished eighth in a contest that selects the top seven. Now if you want to enact the will of the people, and this was an argument that was presented before Council, I think that this is a legitimate argument as well. He was the eighth finisher by less than 40 votes.

Third, Jim asked for it. In a letter that was addressed to Council he asked us for his support. No other candidate did.

And finally, Jim Piteo made clear in his campaign his dedication and passion for the City.

I'm glad that Jim was ultimately selected to fill that Council vacancy and I don't think that we can congratulate Jim on filling the Council vacancy without thanking Vern Blaze for his service as a Councilman. I know that I will personally miss serving with him as a Councilman. And Vern Blaze is most certainly qualified to fill the position of Chief Administration Officer. It is my understanding that a number of qualified candidates were interviewed for the position. Vern holds a Masters in Business Administration, a Masters in Public Administration from Cleveland State University and I have no question that he's going to fulfill his duties as Chief Administration Officer in fine fashion for the City of Independence. Vern, I thank you for your service to Council and will miss working with you as a member of the legislature.

On a sad note, I ask the community to remember in your thoughts and prayers the passing of Dorothy Ornas. I had a chance to work with Dorothy. She was president of the Independence Historical Society. She was a fantastic president. She encouraged me to get involved with the Society and also encouraged me to get involved with public service. I ask that the community keep her and her family in their thoughts and prayers.

Finally, I would certainly like to congratulate Mr. & Mrs. Longano. If you're familiar with the story of Independence, not just the book, but the story of Independence, his contribution is certainly dotted throughout our story. Thank you.

(PITEO):

Councilman Piteo stated I would like to say thank you to Mayor Kurtz. I appreciate the chance you have given me to work for the residents of Independence. He told me awhile back to be an independent thinker and to challenge me because I will challenge you. I look forward to that process.

I would also like to thank my Council Colleagues for the class in which they handled the vacated Council seat. I would also like to thank all the people who supported my efforts to be on Council – the phone calls, letters and prayers. Thank you.

Lastly, I want to thank my family, especially my wife. Thank you for understanding my passion for the City of Independence and allowing me to pursue that passion. I love you.

I would also like to mention and give thanks to Mayor Kurtz, the Service Department and the Tech Services Department. I had the opportunity to work with these guys to build a playground that the PTO purchased for the Independence Primary School. Dave and Tom you are something else. What an amazing project. I would also like to thank Tim, Joe, Kurt, Rich, Brian, Paul and Les, and I've probably forgotten a few others. What a great job they did. I appreciate the speed and enthusiasm the guys showed. It's a great testament to the roles of our City employees who pitched in. It was great to see the schools, City and all the moms and dads pitch in in order to achieve a common goal. That project is nearing completion. There are several companies who are helping out with the final portion of that. I can't wait to see the kids playing on it.

STREETS AND SIDEWALKS COMMITTEE – (RILEY):

Vice Mayor Riley reported I would first like to thank all of my colleagues up here for their support in appointing me Vice Mayor. I will try to live up to the Vice Mayors that we've had in the past. I've served with two different mayors, four different vice mayors and four finance directors and numerous council members, and I've learned a little bit from every one of them. I will do my best to keep the integrity of this office where it should be.

Congratulations to John Nicastro, Sr. and his group of seniors celebrating their 50th Anniversary. I was sorry that I couldn't attend the luncheon.

To Chief Nicastro of the Police Department, my father was a policeman for 30 years and I know what you guys do and what you go through. My congratulations to the department, and tonight in my prayers, all the fallen officers.

To Bob Longano and his wife, 65 years of marriage is a wonderful achievement. Thank you for your contribution to the City over so many years.

Regarding the Streets & Sidewalks Committee, if you'll notice, Wisnieski Parkway is nearing completion. The contractor has done an excellent job. I want to thank the Streets Committee and my colleagues on Council for keeping the project moving. There have been a few change orders that we've approved due to some issues that weren't apparent until the old roadway was torn out. Council also approved the resurfacing of the parking lot. We're also looking at the

numbers for the resurfacing of City Hall parking lot. Once all these projects are completed, this entire area will be upgraded and should last us for many years.

I'd like to welcome Jim Piteo to Council tonight. You ran for office. You showed me dedication. Even after you lost the election you continued to attend meetings and show your interest in serving this community.

I have to respond to the issue with Vern Blaze. I don't think you'll find a guy in this room with more integrity than the man sitting here tonight. I have talked to both Bob Longano and Vern Blaze over the years when I've had questions about things in Independence. I talked to Bob when I first ran for Council, and I've talked to Vern since I've served with him. When Vern Blaze gives you an answer, you can take it to the bank. If the sun is shining and Vern is walking with an umbrella, you better get your umbrella because he knows that it's going to rain.

If I was looking to solve any problem, whether it was in business or with the community, I would want to hire the guy with the utmost integrity and character unmatched. Vern knows the numbers in this City better than anyone I know. He can sit there and dissect and point things out that others would overlook. If I were to hire someone to help me solve a problem, Vern would be the guy.

As far as the process, from the creation of the positions and through the interview process, whether it was for those positions or for the council replacement, I think everyone up here did a fine job in doing what we did in serving our Oath of Office.

SAFETY COMMITTEE – (GRENDL):

Councilman Grendel stated I would like to thank my colleagues up here for my appointment to the Planning Commission. I look forward to working with the Mayor and the other members of the Commission and serving the best interests of the City in that position, and to hopefully foster some growth in the next two years.

There was a Safety Committee meeting held on Monday, May 5th. It was a very productive meeting. And out of that meeting there are two very important pieces of legislation on tonight's agenda. One is Ordinance 2008-19, that deals with the new curfew. I stress to the parents of children that it's up to you to help the police enforce this. Know where your children are. With what is occurring in our society today, it is so important that you know where your children are at all times.

The new curfew hours are:

- Children ages 16 and 17 – Midnight
- Children ages 14 and 15 – 11 p.m.
- Children ages 13 and younger – 10 p.m.

A lot of work went into this. Angie from Mayor's Court, Chief Nicastro and his department put in a number of hours work resulting in this revision, and we look forward to getting that passed tonight.

Resolution 2008-66 is a resolution in support of House Bill 320 which requires booster seats for children too small for safety belts and under the age of eight. We're showing our support for the legislation in Columbus. If this is passed, hopefully there will be federal funding for the program. Councilman Klepacz mentioned earlier that most states have this in place already.

Fire Chief Nelson brought up a number of issues. There is an ongoing process of replacing the Health Watch units in a number of our seniors' homes with the new Lifeline units. There are currently 144 units being used throughout the City. The units are scheduled to be replaced prior to June 30th.

I would like to commend Ryan Dailey and Mark Coyner on the honor they are going to receive later this month at the Fifteenth Annual Chris Hold EMS Awards Luncheon. They are just two examples of the dedicated men that we have in our Fire Department.

I had to take my father-in-law to the doctor yesterday. At 90 years old he has a very difficult time walking. Two gentlemen from the Fire Department helped in getting him out of the house and get back in without any incidents. They will provide those services to senior residents who have difficulty, providing they're not on an emergency run. I would like to commend them for their services.

Also discussed was additional work with the signalization at Brookside and Route 21. It should be done within the next couple of weeks. We'll have walk signalization for pedestrians. It will also give the police more flexibility in controlling the timing of that signal, resulting in greater efficiency with that signal.

We're going to have another meeting prior to the June Council Meeting. We hope to be ready to bid the signalization at Hillside Road and Route 21. Don Elewski has been working on that. We would like to get that taken care of this year. Once Hillside is done, that will then complete the signalization and pre-emption of all intersections from Rockside Road to Sprague Road.

A matter regarding the Luvison property was also discussed at that the meeting.

I wish to congratulate and wish Jim Piteo the best of luck on his appointment. I know that he will do a fine job in his dedication to the City.

I also want to thank Jackie Haddad for going through the process. I think it was important for us to look at different options. Both candidates were highly qualified. I have always been impressed with Jackie's service to the City – Charter Review Commission as well as the Downtown Redevelopment Committee. It was a difficult process. It's not easy for either of them to sit before Council in a public meeting and answer questions when they had no idea what questions were going to be asked. They both did very well.

I also wish to congratulate Mr. & Mrs. Longano. I know that my father, who also served as an attorney, had the utmost esteem and admiration for the work that you do, Bob, and have done for the City, as well as your legal work over many years. Congratulations on your anniversary. You set an excellent example to young couples. Whether it's good times or bad times, once you make that commitment you stick together and don't bail out at the first sign of trouble. You have a wonderful marriage and I congratulate you on that.

Finally, my report on our sports season. The girls' teams at Independence High School are out of this world. The Softball Team has a 19-4 record, 8-0 in Conference. They should do well in the tournaments ahead. Likewise, the Girls' Track Team has won three consecutive times – the Independence Invitational, St. Peter-Chanel and the Cuyahoga Heights Invitational. The female athletes at Independence High School are having a banner spring season.

The Boys' Baseball Team has done well but in Conference is another story. They have an 11-11 record last I checked. The Boys' Track Team has done well. They haven't won championships but they performed very well.

My commendations and I wish them good luck in the State Competition that will be coming up shortly.

Now that we've completed the process of replacing our open position on Council, as a body, we have a lot of work ahead in this next year and a half. I know that together we're going to do a fine job and look forward to working with everyone.

RULES AND ORDINANCES COMMITTEE – (KLEPACZ):

Councilman Klepacz stated at the February 12th Council Meeting I explained my reasons for opposing the creation of three new administrative positions, which will burden the Operating Budget of the City of Independence and create an unnecessary expansion of government. These remarks were published in the March City Newsletter and I stand by them.

At that time I had no intention of ever remarking on those positions again, because I believe in the "Rule of Law", and five Councilpersons voted the positions into law. We vote, abide by the results and move on.

However, after the resignation of the Vice Mayor and his subsequent appointment to the position of "Chief Administrative Officer," one of the newly created jobs, many residents spoke to me of their concerns. I believe I need to address this situation publicly and assuage some of those concerns.

It is true that the new Chief Administrative Officer got his start in politics when he was appointed to Council back in 1980's when the current Mayor was Vice Mayor. It is also true that the two of them have been political allies for some time and have frequently campaigned together. But that is politics and people certainly have the right to choose their own associates. I am sure that appointing a long-term friend and ally to this new position will not catch the

attention of the Plain Dealer and their crusading reporters, so we don't have to worry about Independence being on the front page of the Sunday edition of the Plain Dealer.

Other residents have expressed a questioning attitude concerning the fact that before accepting the new administrative position the former Vice Mayor argued in favor of the position, voted for it, resigned and then accepted this new position at a considerable increase in salary. There appears there is nothing untoward in this sequence of events, so I would discourage those who have suggested taking this matter to the Ohio Ethics Commission from taking this action.

Let me remark at this time that there has never been any question that the former Vice Mayor is extremely qualified for his new job. His abilities and qualifications fit the job description perfectly, almost as if it were written for him. I am sure that he will earn every dollar of his \$75,000 salary and will deserve every pay increase until the top potential salary of \$93,000 is reached.

However, there is one concern that cannot be glossed over, and that is the fact that this sequence of events has abrogated the November 2007 General Election, thus overturning the will of the people. Clearly, all of the council candidates, including the former vice mayor, campaigned vigorously and put forward their legislative agendas. His campaign was obviously effective because he garnered the most votes. People believed his promises to serve them well on Council matters. The people wanted him on Council, not in the Administration.

Secondly, these actions have overturned the people's desire not to have career politicians permanently ensconced in our local government. In 1992, the people modified our City Charter by imposing term limits on both Council and the Mayor. An attempt to overturn the term limit requirement for the Mayor was soundly defeated at the polls in 1998. Clearly the people do not want career politicians here in Independence, regardless of how highly qualified they might be. Yet, unless the Mayor was misquoted in the Sun Courier, part of the justification for making this appointment was the fact that the former Vice Mayor was term limited and would have to leave government service at the end of this term.

Thirdly, our City Charter creates a strong mayoral form of government. But in America, we believe in checks and balances. The Legislative Branch of government, in our case City Council, should objectively look at the initiatives suggested by the Administration. The resignation of the former Vice Mayor meant that a new Council Member had to be appointed. The six remaining Council Members split 3-3 on the replacement candidates and so the Mayor cast the deciding vote. It will be very difficult for any newly appointed member of Council to take an independent road from the person who cast the deciding vote and gave him that position.

I believe we have started down a dangerous path with these actions. There is a deep suspicion in America that politicians cannot be trusted and they have motives beyond serving the people who have elected them. It is not only the impropriety in government which must be avoided, but also the perception of impropriety as well. In the minds of many of our residents, who have approached me and talked to me about it, this sequence of events does not pass the test.

Finally, I would like to also give my condolences as well as condolences on behalf of all the members of the Kiwanis Club, to the family of Dorothy Ornas. I knew Dorothy quite well as secretary of the Kiwanis Club of Independence. Her services were invaluable. She will be missed. Again, my condolences go out to her family at this very difficult time.

LEGISLATION:

SECOND READING

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.

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

FIRST READING

ORDINANCE 2008-25 2008 AMENDED ANNUAL APPROPRIATION ORDINANCE 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 Grendel, seconded by Riley, to adopt. Council polled: 7 yes/0 no; motion carried.

ORDINANCE 2008-26 AN ORDINANCE REPEALING CODIFIED ORDINANCE CHAPTER 1155 RELATING TO OIL AND GAS WELLS 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 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.

Discussion: Mayor Kurtz stated this is a little housecleaning. It's important that we made our Code consistent with state law. Hopefully the state legislatures will take action to tighten up the rules with respect to gas wells maybe this year or next year.

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

ORDINANCE 2008-27 AN ORDINANCE AMENDING ORDINANCE 2007-40 EXTENDING THE DEADLINE FOR THE FIVE YEAR CAPITAL IMPROVEMENT PLAN 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 suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt.

Discussion: Mayor Kurtz stated this was legislation that was approved last year. Each department will complete a long-term goal and plan. Each will methodically go through the exercise and the various departments will do their best to put together their respective Five Year Plan and then we'll consolidate that. This will be the only year that we'll need additional time. I am confident that after we get this first year under our belt, we'll be in good shape for the future.

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

ORDINANCE 2008-28 AN ORDINANCE AMENDING SECTION 1349.04 OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE RELATING TO WORK WITHIN THE CITY RIGHTS OF WAY OR EASEMENTS AND DECLARING AN EMERGENCY

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

Ordinance 2008-28 was placed on First Reading and referred to the Public Lands & Buildings Committee without objection.

ORDINANCE 2008-29 AN ORDINANCE AMENDING SECTION 123.02 OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE RELATING TO COPIES OF DOCUMENTS; FEES AND DECLARING AN EMERGENCY

Moved by Riley, seconded by Piteo, 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: 7 yes/0 no; motion carried.

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

RESOLUTION 2008-63 A RESOLUTION AMENDING RESOLUTION NO. 2006-69 AUTHORIZING THE COMPENSATION TO BE PAID TO THE CITY ENGINEER 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 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 2008-64 A RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO ROBERT LONGANO FOR HIS DISTINGUISHED SERVICE TO THE CITY OF INDEPENDENCE

Moved by Grendel, seconded by Riley, 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.

RESOLUTION 2008-65 A RESOLUTION ACCEPTING THE UNIT PRICE BID OF CINTAS CORPORATION FOR THE FURNISHING, LAUNDERING AND MAINTENING OF RENTAL UNIFORMS TO THE SERVICE DEPARTMENT 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 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 2008-66 A RESOLUTION IN SUPPORT OF HOUSE BILL 320 THAT WOULD REQUIRE BOOSTER SEATS FOR CHILDREN TOO SMALL FOR SAFETY BELTS 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 Togliatti, 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 2008-67 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROPERTY DAMAGE SETTLEMENT AND RELEASE BETWEEN THE CITY OF INDEPENDENCE AND JOEL ZITO AND CLEVELAND HAULING 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 Grendel, seconded by Riley, to adopt.

Discussion: Mayor Kurtz explained, this settlement is at no cost to the City.

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

RESOLUTION 2008-68 A RESOLUTION ACCEPTING THE BID OF UNITED SURVEY, INC. FOR THE 2008 SANITARY SEWER MAINTENANCE AND REPAIR CONTRACT 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: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Grendel, to adopt.

Discussion: Mayor Kurtz explained, this is capped at \$150,000, which is the same amount the Council appropriated this year.

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

RESOLUTION 2008-69 A RESOLUTION ACCEPTING THE PROPOSAL OF CREATIVE INFORMATION SERVICES FOR THE MAINTENANCE AND SUPPORT SERVICES FOR THE DISPATCH SYSTEM FOR THE POLICE DEPARTMENT 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 2008-70 A RESOLUTION AUTHORIZING THE EXPENDITURE OF MONIES TO MEGGITT TRAINING SYSTEMS, INC. FOR THE REPAIR OF THE FIRING RANGE IN THE POLICE DEPARTMENT 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 Narduzzi, 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 2008-71 A RESOLUTION ACCEPTING THE BID OF PROFORMA PARK PLACE FOR THE PREPARATION AND PRINTING OF THE COMMUNITY SPOTLIGHT 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 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.

MISCELLANEOUS BUSINESS:

Moved by Crooks, seconded by Riley, to set a Public Hearing regarding Senior Housing for Tuesday, July 8, 2008, at 6:45 p.m. Council polled: 7 yes/0 no; motion carried.

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 8:37 p.m.

Susan E. Kurshuk, Clerk of Council
