

**CITY OF INDEPENDENCE
REGULAR COUNCIL MEETING MINUTES
JUNE 10, 2008 7:00 P.M.
COUNCIL CHAMBERS**

CAUCUS:

Vice Mayor Jim Riley called the meeting to order at 6:02 p.m. Present were Mayor Gregory Kurtz, Council Members Jim Crooks, Dave Grendel (arrived 6:05 p.m.), George Klepacz, Tom Narduzzi, Jim Piteo and Anthony Togliatti. Also present were Finance Director John M. Veres, Law Director Greg O'Brien, Human Resources Director Heather Glaze, Engineering Coordinator Don Ramm, Police Chief John Nicastro, Engineer Don Elewski, Frank and Dale Kindl resident and Dr. Carl Asseff.

Vice Mayor Riley stated on First Reading is Ordinance 2008-30, the amended appropriation ordinance. Are there any questions?

There were none noted.

Vice Mayor Riley stated next is Ordinance 2008-31 regarding EMS billing.

Mayor Kurtz stated this came from the Safety Committee and will be on First Reading.

Councilman Narduzzi stated we talked about this in our Safety Committee meeting. We want to get everyone's input on this and discuss it further at the next Safety Committee meeting. Just about every other community is now charging for this. They're not really charging the residents. They're charging the insurance companies. Whatever is not collected from the insurance company is written off. The resident is not billed for any balances. This brings in an average of \$250,000 per year. There are only two communities who no longer charge. We're just trying to join in what everyone else is doing. This will not cost our residents anything.

Vice Mayor Riley added, I wasn't at the Safety meeting but I talked to Chief Nelson about this and also some of the firemen. My biggest concern was making sure that none of our residents will get hit with any bills. Insurance companies do cover this. If the insurance company only pays a certain amount then the City has a right to waive the balance. This is a good way to create some new revenue. Our medical costs aren't going down because Independence doesn't charge for ambulance service.

Councilman Narduzzi continued, the dollar amounts that are left blank in the ordinance will be filled in at some point after further discussion.

Mayor Kurtz stated we'll put this on First Reading and then collect evidence to insert the proper amounts.

Councilman Piteo asked about the nonresident part of it.

Councilman Narduzzi replied I don't think we're going to go after anyone who has no insurance coverage or owes a balance. I believe that was the way the discussion was going.

Councilman Crooks asked Finance Director Veres, in your role as Finance Director, are you going to administer this?

Finance Director Veres replied I hope not.

Councilman Crooks responded that's what this ordinance says now. That needs to be hammered out, correct?

Finance Director Veres replied I hope so.

Councilman Crooks stated, *All fees collected under this section shall be deposited by the City into an Emergency Medical Services Public Safety Fund.*

Mayor Kurtz stated at the Safety Committee we talked about creating a fund – Emergency Medical Public Safety Service Fund seems to be a bit stretched out. We may change that to *Safety Force Fund*. My thought is that we would use it for police and fire. I see police being more involved with emergency medical training. I want to be a little more comprehensive, inclusive, rather than exclusive to one department.

Vice Mayor Riley commented, we can discuss that further at the next Safety Committee meeting.

Councilman Grendel stated in Cuyahoga County after October of 2008, there will only be two communities that don't charge for EMS.

Mayor Kurtz added there are only four now and two of them are going into it.

Councilman Grendel stated I think Mayfield Heights is one of them. I think that the revenue that Chief Nelson mentioned is \$250,000, but there are different procedures that we can follow. We're going to thoroughly discuss that.

Councilman Klepacz commented I'm glad to see that the majority of Council wants to see us begin charging for EMS. I wish we had done it back in 2005. As you may recall, we could not get support. It was a very similar ordinance. At an additional \$250,000 per year, we missed out on \$750,000 since that time, which is a significant amount.

Vice Mayor Riley responded, a new Squad.

Mayor Kurtz commented, I believe that at that time the evidence that the Chief was that the vast majority of communities were not part of that at the time. It was at the beginning stage.

Councilman Klepacz responded we missed our opportunity to be the leader of the pack.

Vice Mayor Riley stated next is Resolution 2008-72, the Tax Budget for 2009. This is what tonight's Public Hearing is regarding.

Finance Director Veres stated the Tax Budget sets the City's portion of the overall property tax rate. The City is fortunate that it has been constant the last three or four years at 2.8. The only thing that was changed would be the voted millage for the Civic Center, which is still .60. We plan to pay that off in 2011. The rest of it, the 2.2 is statutory and it doesn't change.

Councilman Grendel asked, do you want that approved tonight?

Finance Director Veres replied, yes. It doesn't affect anything. We're not asking for more for the Civic Center. Nothing is going to change.

There were no objections noted to passing Resolution 2008-72.

Vice Mayor Riley stated Resolution 2008-73, four mobile data terminals for the police department in an amount not to exceed \$15,955.24. Are there any questions?

There were none noted.

Vice Mayor Riley stated next is Resolution 2008-74, accepting the bid of Qwestcom in connection with the Newsletter.

Mayor Kurtz stated Bob Williams sent his information out today to the Law Department.

The Clerk replied the Law Department hasn't seen it because they were here at City Hall. Christine Bova drew up the legislation and we placed it on the agenda for First Reading. Everyone now has a copy of the Resolution.

Mayor Kurtz replied that's fine. If you want to leave it on First Reading and debate it some more, that's fine.

Councilman Klepacz stated I really would object. We had a memo that this was supposed to be in a packet yesterday. We're supposed to have 48 hours notice. The first we see it is tonight and I really object to that.

Mayor Kurtz replied I'm not asking for it to be approved tonight. We can have a meeting in the next couple of weeks. Actually we're going to have to have a meeting anyway because our labor contracts will be available to approve. Once we've done that and get the language, I'd like to call a special meeting to confirm it by Council so that we can make sure we implement it. It's retroactive.

Councilman Togliatti asked, why is it being awarded to Qwestcom when out of four bidders they're the second highest?

Mayor Kurtz replied Bob Williams' analysis and explanation to me was that the bids were that close after his analysis. After review by our people and taking everything into consideration, this is his recommendation.

Several people speaking at once.

Mayor Kurtz stated we'll make sure Bob is at the meeting. He can explain everything.

Councilman Togliatti asked, did they submit a sample of the printing?

Mayor Kurtz replied yes. I'll make sure Bob is available for full discussion. We'll put this on First Reading.

Vice Mayor Riley stated next is Resolution 2008-75, a proposal from Three-Z for topsoil for Wisnieski Parkway in an amount not to exceed \$8,384.00. Is this to take care of the additional they needed?

Don Ramm replied yes, for the restoration. I initially underestimated what was going to be needed.

There were no objections noted to passing Resolution 2008-75.

Vice Mayor Riley stated next is Resolution 2008-76, accepting the bid for police vehicle equipment in an amount not to exceed \$29,130.36.

Councilman Togliatti commented the legislation says the amount is \$29,130.36 but the bid is for \$29,230.26. It's \$100 off.

Vice Mayor Riley replied we should go with the correct amount.

Law Director O'Brien commented it might be a typo.

Finance Director Veres added it's a typo on the request too. That's probably where the law department picked it up from.

Moved by Grendel, seconded by Riley, to amend Resolution 2008-76 to read, \$29,230.26. Council polled: 7 yes/ 0 no; motion carried.

Vice Mayor Riley stated, Resolution 2008-77, the Dura Mark bid for paint striping of streets.

Councilman Grendel stated this came out of the Safety Committee. We had an in-depth discussion with Mike Savioli and Chief Nicasro. Even though the other was a bid for half the price, the job they did was not acceptable. It wasn't performed properly and it didn't even last six months. It was really nonresponsive to the bid.

Councilman Narduzzi added there were also safety issues. The first company used epoxy, which gets very slippery when stopping or starting when it gets wet. Dura Mark is going to use glass chips for more magnification and it's supposed to last for two years instead of one year. Basically it's the same amount of money in a 2-year period but a higher quality job.

Councilman Piteo added I think Ptl. Savioli also said that they would come back and repair anything that didn't hold up. The work was guaranteed.

Finance Director Veres commented if we're going to do cracksealing make sure that is done before striping.

Vice Mayor Riley asked Engineer Elewski, do we have any cracksealing coming up so we don't stripe the streets and then go over it.

Engineer Elewski replied there is cracksealing coming up. It's just a matter of how much.

Vice Mayor Riley asked Don Ramm if he was handling cracksealing and street striping? We had one year where we striped the streets and then cracksealed over it.

Councilman Grendel commented, we always crackseal late in the summer.

Mayor Kurtz stated to Don Ramm, make sure that it's clearly understood that we're going to do some cracksealing. We'll have a Streets meeting. We'll get that done before we do any striping.

Councilman Grendel responded at least note the streets that will be cracksealed.

Councilman Klepacz asked, is there any reason we crackseal so late?

Mayor Kurtz replied we should do it while it's warmer and the gaps are wider. We'll do that.

Councilman Klepacz asked can we have that meeting so we can do that faster?

Mayor Kurtz replied sure. Streets & Sidewalks can call a meeting.

Vice Mayor Riley stated Resolution 2008-78 authorizing additional expenditures for Elewski or miscellaneous roads in the amount of \$25,000. I would like Don Ramm to explain this.

Don Ramm replied one of my functions is I'm directed to oversee the day to day operations of Elewski's office and monitor the weekly efforts and projects that they're working on, as well as keep track of the funding. In the course of doing that activity it came to light that there was a need for some additional funding for this particular account, Miscellaneous Roads. That's a more critical one. It's a lot shorter than Miscellaneous Storm. Both require additional funding but Roads is more urgent than Storm.

These activities are for day to day things that come up and we see and feel the need to ask them to do surveying work or investigate an issue. For example, we're looking at the traffic problem

on Rockside and the additional lane by the ramp at southbound I-77. Those types of activities would fall under this category. It's really a useful mechanism. They're my team and when things are requested by the Mayor's Office or Council Office, it gets readily used.

Councilman Grendel asked will you come back in a few months to increase it again?

Mayor Kurtz replied yes. We only keep enough to keep us going. We don't want to just ask for one big number. We want to keep things going rather than ask for one big number and then spend it. We'd rather come back and get Council's permission periodically.

Councilman Crooks asked, it's the estimated future work? Is there any way we can get more specific about what services are going to be performed for this money?

Mayor Kurtz replied at the Streets Committee meeting Don Ramm can bring in a log of what Don Elewski does to give you a better understanding of the detail he puts together on every line item. I think then you'll have a higher comfort level on the process.

Councilman Crooks responded I just wanted to be clear. I don't have a problem approving it for work but it seems like it could be more specific in terms of what the work that is going to be performed is going to be. It would add to our comfort level.

Mayor Kurtz replied remember that is this miscellaneous. This is the catchall for everything. These aren't specifically driven. I think once Don demonstrates the amount of effort that goes into detailing each request, it will raise your comfort level. Don Ramm authorizes.

Councilman Narduzzi stated put the dollar value on what Elewski's office is going to do. I would feel a lot more comfortable if I knew. To me, it seems like you're giving an open checkbook of \$25,000. I would like to see more of a detailed list – if it's \$1,000, if it's \$7,000. I would feel more comfortable with that. It's 25,000 on this resolution and \$25,000 on the next resolution. Now we're up to \$50,000, and you know that \$50,000 is going to be spent.

Mayor Kurtz replied right. That's why we don't come back and ask for \$200,000. We want to be more specific. We can demonstrate exactly how those funds are being authorized through Don Ramm that brings us to these thresholds.

Finance Director Veres commented, Don Ramm mentioned adding a lane to Rockside. That should really come out of the Street Resurfacing Fund, 420. Miscellaneous Roads is more Don Elewski's office performing a duty on behalf of the City – as if Don Ramm had internal help in his office. That would be the day to day calls for a road buckling, check out this road condition here or City roads that might need some work. It's almost like a typical call for a backyard drainage problem that falls into Miscellaneous Utilities. It's those types of City road issues that fall into Miscellaneous Roads. If there is something being done on Rockside to look at that additional lane, it's TIF eligible as well, so that type of charge should come out of 420.

Don Ramm responded that was just an example. There is something coming up as to Selig Drive that we might be looking at doing some things with the intersection.

Finance Director Veres replied for that you have the Selig TIF as opposed to Miscellaneous Roads. It's eligible for reimbursement.

Vice Mayor Riley commented this is \$25,000 and I don't have a problem. I don't want to stop any day to day functions, but maybe Don Ramm, Don Elewski and John Veres can sit down and present to us where money goes, how it's spent and whether it can be TIF'd.

Finance Director Veres replied maybe Resolution 2008-78 can be passed and 2008-79 can be left on First Reading because it's not as time sensitive.

Councilman Crooks asked, if we don't pass these tonight, are there projects that are going to shut down tomorrow, in your opinion? Or, can we take a look at it the way we've explained and have it ready to approve in the next couple of weeks?

Don Ramm replied I think as far as the Miscellaneous Roads one, the invoice that is currently being reviewed, I believe that was approved contingent upon \$1000 or \$1300 of that coming out of this \$25,000 after it was approved.

Mayor Kurtz commented I don't want to hold the invoice up for \$1300.

Councilman Grendel agreed.

Vice Mayor Riley stated I don't have a problem with this \$25,000 but if the Mayor could have the Finance Department, Don Elewski and Don Ramm get together.

Mayor Kurtz replied pass Resolution 2008-78 and then put Resolution 2008-79 on First Reading.

Councilman Piteo asked, typically through this process do you have to call some special meeting to get that money quickly? If there is a project that came up, how long do you have to wait to get money turned around?

Vice Mayor Riley replied I don't think anyone in this room has ever stopped anything. One year they were out of money for rock salt. We voted over the phone for that.

Don Ramm needs to be made aware of money through the TIF.

Councilman Crooks stated I'm fine with that approach, but the language in both Resolution 2008-78 and Resolution 2008-79 I would ask Council to take a look at. Resolution 2008-78 reads *Whereas the City has received a request for additional funding from Elewski & Associates in a total amount of \$25,000.* Again, I'm going to ask Greg O'Brien to weigh in on this. I have a problem with the way that's worded. I would prefer, and ask you all to consider changing that language to something along the lines of, *Whereas the City has determined that additional services are needed.* The way I read this, we have a vendor, or contractor requesting additional funding. I don't think this would sit well in the public light. Does anybody have a problem changing that to read, *Whereas the City has determined, or our Engineering Coordinator has*

determined that more services, or additional services are needed, that prompt the outside service and then finish it? Does that make sense?

Vice Mayor Riley replied I see what you're saying.

Councilman Grendel stated yes. I like the idea that Don Ramm is reviewing these and we get a summary of what is being paid. Before, we never had that information. We were paying left and right, not knowing. This way at least we have somebody reviewing that and verifying it.

Don Ramm responded, to the extent that I can. A lot of these things come at me daily. There are things sometimes that you just can't account for, but certainly the things that I know come in, that I know will be coming out these accounts.

Vice Mayor Riley asked Don Ramm, before they do any work they contact you?

Don Ramm replied right. Work gets authorized by me. I ask them to do specific things.

Councilman Grendel commented it's good to know too that the funds are there. It's better than in the past where a lot of times the work was already done assuming Council was going to approve it.

Mayor Kurtz replied that's why we're only asking for \$25,000 increments. We're not asking for \$200,000. We're trying to always have everyone in the loop.

Councilman Togliatti asked moving forward in our Streets & Sidewalks Committee meetings, can we prioritize some of these miscellaneous road projects that we're going to do? Can we attach engineering fees with them so we can have an estimate moving forward of what we're going to have to shell out?

Vice Mayor Riley replied with any project, we always have what the engineering is going to be, the major ones.

Mayor Kurtz added, you'll see in the summary that a lot of them are small. It's checking something out or doing something small, not like doing Wisnieski or Selig. It's trying to put things together so we can present to Council a plan as to what we're trying to accomplish long-term for this area or that area.

Councilman Togliatti asked, so it's not possible to estimate these things?

Mayor Kurtz replied that's what we do. If you look at the legislation backup, some of them are driven by estimates. We ask Don Elewski for an estimate to do this or that.

Vice Mayor Riley asked Councilman Crooks, so you want to change that wording?

Law Director O'Brien stated, *Whereas the City has determined that additional work is necessary from Elewski & Associates in a total amount of \$25,000 as set forth in the memorandum dated June 6th from the Engineering Coordinator. . .*

Moved by Riley, seconded by Grendel, to amend Resolution 2008-78 to read, the City has determined that additional work is necessary from Elewski & Associates in a total amount of \$25,000 as set forth in the memorandum dated June 6, 2008 from the Engineering Coordinator. Council polled: 7 yes/0 no; motion carried.

Moved by Riley, seconded by Crooks, to amend Resolution 2008-79 to read, the City has determined that additional work is necessary from Elewski & Associates in a total amount of \$25,000 as set forth in the memorandum dated June 6, 2008 from the Engineering Coordinator. Council polled: 7 yes/0 no; motion carried.

Mayor Kurtz stated so Resolution 2008-78 is going to be approved and Resolution 2008-79 is going to be on First Reading.

Councilman Grendel replied correct.

Mayor Kurtz stated to Don Ramm so you will put together a compilation of some of the summary sheets so Council can understand the depth of what you approve.

Vice Mayor Riley asked, is there any miscellaneous business?

Councilman Grendel stated I'll be making a motion on something that came out of the Safety Committee meeting. We've been trying to update intersections. We have Brookside completed and next is Hillside. Hillside is a little different. It's not as clean as Brookside because we're anticipating possibly widening the intersection in the future with the development that will eventually come in on Hillside. You'll see that in addition to the engineering work for \$15,000 there is also title work and right-of-way appropriation and even HAZMAT for the Sunoco Station. We're asking to move ahead in the process and get that approved tonight so we can go to the next step.

Mayor Kurtz asked, are there any objections?

Vice Mayor Riley asked so we are doing the engineering that the it will be made wider?

Mayor Kurtz replied we're anticipating that.

Councilman Grendel added, right. We're anticipating widening down the road.

Vice Mayor Riley asked, why is Elewski & Associates doing the title searches?

Engineer Elewski replied we're not doing them. We send that work out.

Councilman Grendel added, they're going to work with a title company.

Vice Mayor Riley asked, is that how we normally do that? I thought that went through the law department all the time.

Law Director O'Brien replied we would contact the title company.

Engineer Elewski stated we coordinate with them.

Vice Mayor Riley asked Engineer Elewski, is there any charge from your office? Is that marked up and charge us for that or is it just a pass through?

Engineer Elewski replied it's just a pass through.

Mayor Kurtz stated it was discussed at Safety Committee that we're going to anticipate full development of Hillside and Route 21. We want to do everything in preparing and designing anticipating future opportunities to expand that, rather than put something in and all of a sudden, even five years from now have to change it.

Vice Mayor Riley stated we can put up the poles now to allow for widening down the road.

Moved by Klepacz, seconded by Grendel, to authorize Elewski & Associates to proceed with engineering with regard to the upgrade of the signalization at the intersection of Hillside Road and Route 21 in an amount not to exceed \$15,333.00 for engineering and \$14,224.00 for title searches, R/W Appropriation and Hazmat Contractor costs. Council polled: 7 yes/0 no; motion carried.

Finance Director Veres commented in the ordinance for the appropriation tonight is amending the section for the Hillside/Route 21 TIF to accommodate that motion.

Councilman Grendel asked, has that TIF been approved yet?

Finance Director Veres replied no. That one and Chestnut Woods are our last two. I'll have to check on those.

Mayor Kurtz replied let us know what the status is after you contact them.

Councilman Grendel asked, then the Selig TIF has been approved? I know there was a problem.

Finance Director Veres replied Selig was approved and we were collecting taxes when they're paid, but they haven't been paid in awhile. Without payment we don't get our share.

Councilman Klepacz stated you mentioned that the Brookside light was done. Can we have a flashing yellow at certain times of the day?

Director Snyderburn replied it's a solid demand light.

Vice Mayor Riley added I think once you put the crosswalk signalization in for pedestrians, I don't think you're allowed to. That's what Mike Savioli told us.

Councilman Grendel stated if anybody crosses the street even if it's 3 a.m. they push the button and the light will turn for them. We're not going to have flashing at Brookside.

Chief Nicastro stated if you have one car on Brookside, once it comes out you're going to get the green on Route 21 in about 6 to 7 seconds. The idea is that we're not going to have any of the lights flash.

Councilman Klepacz asked, so it's going to be green on Route 21?

Councilman Grendel replied yes. It won't change unless there are cars on Brookside.

Chief Nicastro stated the reason for the previous delay was because there was no pedestrian crossing signalization so every time it changed there was an extra 30 seconds.

Dr. Asseff asked if his proposal was going to be discussed.

Mayor Kurtz replied I'm going to deal with it.

Dr. Asseff asked, then why are we here? Ron White sent us an e-mail saying to be here for a presentation.

Councilman Grendel stated since they're here we may as well hear it.

Dr. Asseff stated it won't take us long.

Mayor Kurtz stated the City was approached and the Planning Commission discussed the possibility of utilizing some of our land behind the parking lot of the Kindl property. They want to expand and put a second story over the rest of their building and they need additional property. Instead of a pure fee simple purchase, it was thought that maybe they could do an expansion to the appropriate number of spaces to accommodate the expansion of their building and we'd be able to trigger a joint use type effort, where they would use it to accommodate the permanent restriction where it would satisfy the code requirements for the expansion of their building with the second floor addition and fixing up the corner. In addition, we would then have that parking lot available for the church, social or public activities and the genesis is that it would potentially fit into a master plan.

We would also look at the intersection of Stone Road and see if we could do some widening for the truck traffic and the amount of traffic that we receive.

It was the thought of the Planning Commission that we would bring this to Council since Council is the only body that can give direction for purpose of property, sale of property, utilization of public property.

With that, that's really what we're trying to accomplish. The plan was presented, reviewed by the Planning Commission and embraced by the Planning Commission. The next step was to take it to Council and ask if this is something we should pursue. The real question on the table is, is Council willing to let the Planning Commission work with the developer to put together a comprehensive use plan for a portion of that property, that would allow them to expand their building? It would also be the catalyst to grow that corner into a more permanent use. The City's involvement would be a portion of our property, which is existing vacant property, which then the covenants would allow the developer the rights for that property so they would meet our code for the mandatory number of spaces. But the City would then have the right for the public purpose, which could be for the benefit of the Methodist Church because we may have to do something that expands Stone Road. We would use some of that property to allow them parking for the church and for public purpose in terms of Home Days.

The Kindls have been very accommodating over the years in terms of any type of use by the City, so this is really a public/private partnership that is an opportunity for us to get an expansion of an existing building, utilization of some of our property, but also a public permanent public purpose use.

Is there any objection with the Planning Commission pursuing this with the developer?

Obviously, when we come to an amenable arrangement then it would go to Planning Commission and Council anyway.

Law Director O'Brien commented, we would probably have to look at it and see (inaudible) depending on how we're going to encumber it, for lack of a better word.

Mayor Kurtz stated but the thought was that there is no sense in us wasting time if Council didn't give us the go ahead to start looking at this more in depth and spend money.

Councilman Crooks asked so we'd be selling the land?

Mayor Kurtz replied we would keep the land in fee title but just like we do with developers when they have cross easements, rights to the property. Whatever the Law Department determined the tool necessary for us to allow them to have a permanent expansion of their building and still have public use of that property is the goal, because they cannot add onto their building without adding more permanent parking spaces. It would be a public/private partnership of sorts.

I was going to present this whole concept in a few minutes to make sure we had the green light to proceed.

Councilman Togliatti asked, who would pay for the construction of the parking lot?

Mayor Kurtz replied, yet to be determined. That will be a composite of the benefits to Stone Road, the intersection, the safety aspect, the impact on the church, the impact on our adjoining property to the north. This is going to be a negotiated arrangement to induce them to put an addition on their building, which will increase the revenue to the City. At the same time it will

create a public purpose aspect that would benefit the church and some of the other businesses and future businesses.

Does that sum it up pretty well?

Dr. Asseff replied yes, but one other question. Would that qualify for a TIF?

Finance Director Veres replied that area is not currently TIF'd. To TIF just that piece we probably wouldn't.

Mayor Kurtz responded, the middle school.

Finance Director Veres responded right. We will TIF the downtown area.

Councilman Grendel asked, can we TIF after the fact?

Finance Director Veres replied you lose the increase in value.

Mayor Kurtz stated we want to look at that as part of this because before they would take a shovel we would want to have it TIF'd so we're entitled to any increased valuation. Is there any objection to pursuing this on the part of Council?

Councilman Narduzzi asked, the building wouldn't infringe on City property?

Mayor Kurtz replied the building expansion would be a second story. The original building was designed structurally to accommodate a second floor across the whole top.

Councilman Grendel asked, is this on one building?

Mayor Kurtz replied the other building has a second story.

Frank Kindl added, the opportunity to expand would only be on one, the original building to the north.

Mayor Kurtz asked any reservations on Council's part?

There were none noted.

Mayor Kurtz stated then we'll pursue this.

Moved by Grendel, seconded by Klepacz, to recess the Council Caucus for an Executive Session to discuss labor negotiations and personnel. Council polled: 7 yes/0 no; motion carried.

The Council Caucus was recessed at 6:32 p.m.

The Executive Session was convened at 6:33 p.m. Present were Council Members Crooks, Grendel, Klepacz, Narduzzi, Piteo, Riley and Togliatti. Also present were Law Director O'Brien and Human Resources Director Heather Glaze.

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

The Executive Session was adjourned at 7:10 p.m.

The Council Caucus was reconvened at 7:11 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 7:12 p.m.

COUNCIL MEETING:

Mayor Gregory Kurtz called the meeting to order at 7:16 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 Donna Barrett of Rockside Church said the prayer.

The Pledge of Allegiance followed.

PRESENTATIONS:

Mayor Kurtz acknowledged Mark Coyner and Ryan Dailey of the Fire Department with a Proclamation and Certificate of Achievement for receiving MetroHealth Medical Center's 2008 "Chris Holt" Award for excellence in pre-hospital care.

Mayor Kurtz stated on February 29th we were called to assist a critical medical situation in Valley View where a gentleman was working on a truck the lift broke and severed both of his arms. Because of the quick work and Mutual Aid, Mark Coyner and Ryan Dailey these men were able to assist and his arms were able to be reattached.

The City invests a lot of money in training and hires the best people, and we're able to share this expertise with our neighboring communities and help save lives and help continue lives.

Our guys did a phenomenal job. On behalf of the City of Independence I want to proclaim today a day to honor Mark Coyner and Ryan Dailey. We commend them both for their extraordinary, valiant efforts in helping their fellowman.

This is a good example of how the City of Independence not only shares its talented personnel in helping other communities, but how these men aren't afraid to get into the trenches when called upon and go the extra mile to help.

Thank you both for everything you're doing for our residents, our friends and our neighboring communities.

Mark Coyner elaborated on the events that transpired that day.

Ryan Dailey added we used several different procedures that we'd just recently been trained on. Usually when a person needs fluids we start an IV in their arm. We couldn't do that on this man because his arms were removed. Recently we were given a tool to use where we can drill a needle into the person's bone and give them fluids that way. We used this tool and because we were trained we were confident with what we were doing and everything worked out.

It's good to hear that he's doing well.

Mark Coyner stated we had a couple of awards given to us by MetroHealth. Very rarely do outside suburbs get the Chris Holt Award from MetroHealth. Chris Holt was a Cleveland EMS person who was struck and severely injured, so Metro started this award for excellence and good care.

It was seventeen minutes from when we brought this man in to when he was in surgery. Surgeons worked three hours on one arm and three hours and fifteen minutes on the other arm to get blood flowing back into his arms.

Ryan Dailey added, I believe he was in surgery within an hour of us receiving the call. This is exactly what you're looking for – that "golden hour." This is the best place to be from the initial time of the incident. It was a matter of moving things along quickly while trying not to miss any steps along the way.

The man was very calm and patient. His co-workers were really good. It was a run where everything came together.

AUDIENCE PARTICIPATION:

Mayor Kurtz called resident Pat Woodrick forward to speak.

Ms. Woodrick stated, I am so proud to live in the City of Independence. I have lived here since 1940 and I have no regrets. When you see the presentation that we just saw we can really be proud of our police and fire departments.

Ms. Woodrick showed Mayor Kurtz a printed profile of the Independence Police Department from around 1986. Ms. Woodrick stated it would be nice if we could have an updated profile of the police and fire departments. We old timers don't know all these new people.

Thank you to the police department who helped me gain entry to my garage when I locked myself out and needed to turn off a battery charger I was using inside. Officer Schreiber used a small screwdriver to gain entry and disconnect the battery charger. I recently had a bad experience with a battery charger exploding in my son's face and all I could think of was someone else going in there and having the same thing happen. I want to again say thank you to the police and fire department.

In the late 70's when the high school was built we were promised over and over again that all the traffic would go down Selig. To this day, it does not all go down Selig. It's great that you installed the stanchions on Filip to curb that traffic, but please, please consider an alternate route for the traffic from the two schools even if you have to put in a road along I-77 or widen Selig. Please take that into consideration. You just resurfaced Elmerge, Vineyard and other streets in the area a year ago. Take a good look at them. They're already cracking.

APPROVAL OF MINUTES:

Moved by Grendel, seconded by Riley, to approve the minutes of the May 13, 2008 Regular Council Meeting. Council polled: 7 yes/0 no; motion carried.

MAYOR'S REPORT:

Mayor Kurtz stated, I have to begin my report with some unfortunate news that has surprised me, Council and member of the Administration. Vernon Blaze has submitted his resignation as Chief Administrative Officer. The situation is unfortunate because from the City's perspective, Vern had begun developing and implementing important projects, as well as making a difference especially in the long-term. On a personal level it has affected him as well as his family. Greg O'Brien the Law Director will explain how the events leading to Vern's resignation unfolded.

Law Director O'Brien explained, after Ordinance 2008-02 was enacted Mr. Blaze contacted my office and inquired whether he was eligible to apply for and be considered as a potential applicant for the CAO position. Based on a discussion that I had with Mr. Blaze, based on the information provided and my questioning Mr. Blaze, I informed Mr. Blaze that I saw no preclusion for him applying for that position. That advice was wrong.

Law Director O'Brien stated an article appeared in the Thursday, May 22, 2008 Sun Post relative to a Joseph Trivi. On May 30, 2008, the Mayor after reading the article requested that the City's Law Department research whether there were any legal concerns about hiring Mr. Blaze. The following week I informed the Mayor that my advice to Mr. Blaze was wrong and that Ohio law precluded Mr. Blaze from applying and taking the CAO position. It is my understanding that Mr. Blaze submitted his resignation immediately upon being advised of that information.

Mayor Kurtz continued, we have little time to slow down, particularly with summer activities underway. Therefore, so as not to miss a beat I have named Heather Glaze as the interim CAO. She is highly capable and has worked closely with Vern and myself on a number of projects.

I would like to thank all the residents, elected officials, veterans and their families who participated in the Memorial Day services. I would also like to thank residents who attended the annual State of the City address on May 22nd.

The City has kicked off one of the busiest seasons of the year with the opening of the pool, opening of baseball and softball tournaments and preparing for Home Days. But all that falls short of the loss this community suffered when one of our finest employees, Gary Zmija was tragically killed in a motorcycle accident. I will always remember Gary by that big smile on his face. Everyplace you saw him he had that big smile. I sat and listened to the remarks at his funeral. It was clear that Gary had many friends and will be missed by all who knew him. I wish the City had more employees like Gary Zmija. His footprint is evident throughout the City in everything he touched. I would like to take a moment of silence in honor of Gary.

Finally, our sympathy goes out to the McCollum family for their loss, especially their son, Curt, who works in the Service Department.

OFFICIALS' REPORTS:

ENGINEER:

Engineer Elewski reported we are working on road maintenance and storm maintenance, working with Don Ramm and inspecting all the utilities that are going in.

FINANCE DIRECTOR:

Finance Director Veres reported, on the agenda tonight is Ordinance 2008-30, an amendment to our Annual Appropriation. The main reason for the amendment is our General Fund was in need of an increase for fuel costs that we've estimated through the end of the year. We used last year's numbers to begin 2008 and obviously fuel costs have gone up. We've also increased the SCM&R Fund for the street striping program that is beginning this year, which is different than in prior years. The life of the paint is now two years as opposed to one year so the cost is obviously increasing. The contractor is guaranteeing it for two years.

SERVICE DIRECTOR:

Director Snyderburn reported we had a death in the Service Department that left a big gap. His name is Gary Zmija. His work record was impeccable. I don't even remember Gary taking a sick day. If you don't think one individual makes a difference, it does. It makes a huge difference. He was a good friend to everyone and a great guy.

We also had another death. Curt McCollum's father passed away the same day as Gary Zmija's funeral. It has been a tough week for all of us.

The good news is that two of our men each had twin boys. Congratulations to Dan Kanar and his wife Beth on the birth of Gavin and Preston, and Ron Miller and his wife Jenny on the birth of Justin and Logan.

I would also like to congratulate Don Ramm, Don Elewski, John Allega and Joe Potoma of the Service Department, who just recently graduated with an engineering degree. The park road is just beautiful. They all worked together and it came out very nice and makes a big difference.

We received our recycling report for 2007. Recycling has increased about four percent from last year. We came in fourth out of 60 to 70 communities. Tim Tomko who is our Recycling Coordinator does a great job. Our final recycling figure is 52.36%, or just over half of 4,000 tons of garbage that doesn't end up in a landfill. It makes a huge difference when everyone recycles. We take tires, plastic, metal, appliances and more to recycle. Be proud Independence residents are recycling.

COMMUNITY SERVICES DIRECTOR:

Director Buc reported, we began our summer events last week with the Community Concert on Thursday evening. They will continue thru mid-July. We also started a new event this year called our Teen Summer Concert Series. That is going to take place every Saturday in June. The first one was last weekend and was very successful. It is an opportunity for kids in the community to showcase their band or musical ability. On June 20th we have our Outdoor Movie on the Square. We will be showing Alvin & the Chipmunks. Our Summer Camp Program begins tomorrow. If anyone is interested in being in the parade this year there is no charge. Applications can be picked up from any City building.

RECREATION DIRECTOR:

Director Kostyack reported, our summer Learn to Swim Program started Monday at the outdoor pool. Our first swim meet is this Saturday, June 14th at 9 a.m. and will continue there for the next six weeks. Our Summer Playground begins a week from today. We have 70 children enrolled in that. All the ballgames are being played in the park every night. If you want to see a good ballgame, they're Monday through Friday. I want to remind everyone that school is out. Drive carefully through the park.

TECHNICAL SERVICES DIRECTOR:

Director Avsec reported the installation of the outdoor pool A/C unit is complete. We've also added a new concession window at the outdoor pool building. The purpose of the window is to expedite the process of entering the pool area for our residents with passes. The new window will accommodate the non-paying residents and customers during busy times of the day.

The Historic Hall window replacement project will be going out for bids this week.

BUILDING COMMISSIONER:

Commissioner Opatrny reported we have two potential changes to the Rockside Road area that are in progress right now. The first is Applebee's has applied for a facelift to their building. It will be before the Architectural Board soon. The other is the upgrade of the Sunoco by closing

down the service bays and adding a convenience store. That will be before the Planning Commission next month.

Lastly, our Property Maintenance Program is in full swing. If any residents who have an issue, please call the Building Department.

FIRE CHIEF:

Chief Nelson reported, prior to next month's Council Meeting we will be celebrating our July 4th Celebration. This year it will take place on Thursday evening, July 3rd. I just want to remind all residents about the dangers of fireworks and to also remind that in Ohio it is illegal to display fireworks.

I want to take this opportunity to congratulate Lt. Mike Sklodowski on receiving his Bachelor's Degree in Emergency Management from the University of Akron. He made the Dean's List as well.

On behalf of all of us at the Fire Department I want to thank the Mayor and Council for the Proclamation this evening. The guys really are very modest and humble. It takes a lot of work to do what they've done. It takes a lot of effort to concentrate on a tragic emergency that occurred that day. They did well as the outcome shows. The individual's arms were reattached and he's in pretty good spirits. I hope and pray that he continues to do well.

POLICE CHIEF:

Chief Nicastro stated I want to relate an incident that happened to a couple of our officers this past month. On Friday, May 23rd, two of our officers were out around 4:30 a.m. on I-77 with a car that was broken down. As they were getting that removed from the road, another SUV came by, swerved and almost struck one of them. He jumped in his car, drove down the freeway and pulled the SUV over and the driver was intoxicated. He placed the driver in the police car to transport him back to the Police Department. Ptl. Shane Bates, our canine officer, remained to do an inventory of the car before it was towed. He was looking at the car and the next thing he knew he was flying about 20 feet through the air. At first he had no idea what had happened. He then realized that another driver who had been drinking plowed into the back of his police car pushing his car about 30 feet into the SUV and knocking him down. When he regained himself, he got up, arrested the driver and had to pull his dog out of the back of his car. If you saw the car, you would be amazed that no one was killed, let alone no one was even seriously hurt. The entire back of the police car is crushed under the rear deck. So all three were taken to the hospital and were released with no serious injuries.

This is an example of how dangerous these drunk drivers can be, and how fast things happen. If you're on the road and you see any abnormal behavior, a driver weaving, please don't be shy about picking up your cell phone and calling the police. If you don't know what community you're in, dial 911 and give the location as best you can and they'll get someone to respond.

Shane missed two days of work and was pretty sore but is now back to work and the dog is okay. The driver of the other car is also okay. We're very thankful for that.

At the end of the month the Police Department is holding a Traffic Control Training Course, which was developed mostly for our volunteers who assist us at City events to manage traffic. Anyone who is interested in helping out is welcome. Again, that is mainly for VIPS and CERT who have had the training. But if you're interested, call the Police Department.

STANDING COMMITTEE REPORTS:

COMMUNITY SERVICES – (TOGLIATTI):

Councilman Togliatti stated I would first like to extend my condolences to the family of Gary Zmija. He was a great guy who always greeted you with a smile and a wave. I know the guys in the Service Department are going to miss him dearly. He was not only an asset to the City, but to the community as a whole.

I would also like to congratulate all the Independence residents who successfully graduated from high school, whether it be from Independence High, Padua, St. Ignatius, Magnificat, or any other surrounding school. My hat is off to you. The real journey begins now. My advice to you is to take advantage of opportunities when they present themselves, work hard to better yourself, take risks and always do the best you can. I wish you the best of luck in all your future endeavors.

The Community Services Committee met on June 3rd to discuss issues such as Meals on Wheels and the No Place Like Home Program. The Administration is currently exploring a Plan B for the Meals On Wheels Program. This plan provides for more meal options to the program's participants. The No Place Like Home Program is currently held up in the Law Department while our law director looks into the legalities and capabilities of the potential program directives. Once these legal issues are cleared up, we can continue to meet and report on the program initiatives.

The Community Services Committee also discussed a more cooperative shared use agreement between the City's Rec and Travel Baseball Teams with regard to the use of our baseball fields. The City of Brecksville recently took a proactive stance in the Travel Baseball League's integration into the city's recreation program. The Brecksville plan was shared with our City's administration and they are currently looking it over to determine how Independence can best benefit from such program changes.

Now that summer is upon us, I look forward to seeing our residents enjoying the many summer activities that our Community Service Department has planned. From the outdoor pool and Summer Playground to the concerts at the Bandstand there is enough to keep you engaged every day of the summer. Let's enjoy it while we can.

UTILITIES COMMITTEE – (NARDUZZI):

Chairman Narduzzi reported, contractors are finishing up work at Dalebrook Estates from last year's Sewer Maintenance Contract. All that is left is final grading and landscaping. Work will then be done on two creek maintenance projects – Elmwood Park culvert and a lower Brookside culvert. Work will then begin on private residence creeks. Don Ramm is in the process of obtaining right-of-entry forms to access these properties as well as supplying the homeowners with a detailed list of what work will be completed.

I would like to send my condolences to Curt and the entire McCollum family on the passing of his father.

My condolences also go out to Marianne and the entire Zmija family on the passing of Gary. I never personally met Gary, but after talking to Tom Avsec and other people from town and attending his mass, I feel like I've known him my whole life. I've heard nothing but great things about Gary, from his work ethic to his love of life. Gary began everyday with a smile on his face and brightened up everyone around him, a testament that we should all live by. I'm not sure who put together Gary's procession from St. Michael's Church to Mapleshade Cemetery, but what a great tribute to Gary's family. Our community and surrounding communities offering their support was beautiful.

PUBLIC LANDS AND BUILDINGS – (CROOKS):

Councilman Crooks stated I just want to comment on the fact that it means a great deal to us that all of you in the audience attend and listen to do your work, your policy work, especially on nights like this when it's beautiful outside. It's a great break from the 90 plus degree temperatures. I see the Chairman of our Zoning Board of Appeals in the back of the room, Mark Moreal. Thanks for coming. He has served our City for many years.

The Public Lands & Buildings Committee has a tentative meeting scheduled for next Tuesday, June 17th. I'll try to connect with Councilman Togliatti to agree on a time. We have a brief agenda as of today.

On another note, Council has been occupied with some issues in the last couple of months that have been consuming our time. One thing that I look forward to is getting involved again with, and helping Council move forward is the process that we have begun, the strategic planning process. We last met at the end of March offsite in an informal setting. I think it was a productive setting. We crafted a mission statement draft to the City, and I think that we, as a Council, should take that forward. It's my understanding that the Administration is looking forward with department heads in developing their own approach to the strategic plan. I think that the legislative wing must work with the administrative wing so that we can get on the same page with strategic planning. Successful organizations need a good plan. And I believe that all successful organizations need to have a plan eventually.

Finally, my condolences go out to the Zmija family. I grew up with Gary. I know that he is going to be sorely missed in the community.

COUNCILMAN JIM PITEO:

Councilman Piteo stated I remember driving down Route 21. I saw this kid who literally lit up the whole street. I stopped and had to talk to a kid that was so happy working. He was laying pavers around the trees in the median on Route 21. I found out his name was Gary. I didn't know his last name. I don't know the family. I do know that the image of Gary will remain in my mind forever – the blond hair and the smile.

I would also like to extend my condolences to the McCollum family. I worked with Curt for a short time with the City.

STREETS AND SIDEWALKS COMMITTEE – (RILEY):

No report.

SAFETY COMMITTEE – (GRENDL):

Chairman Grendel reported, on June 2nd we held a Safety Committee meeting. I felt that meeting was very productive. We had seven topics of discussion, some of them resulting in legislation for tonight's meeting as well as a motion that was approved earlier tonight at Caucus.

The first item discussed was the upgrade of the signalization at Route 21 and Hillside. Again, we received a report from Don Ramm on what the estimated cost would be for engineering as well as the estimated cost for right-of-way work involved in upgrading that intersection so we have signalization not only for the next few years, but for widening may be done at that intersection down the road. As a result of that discussion we approved tonight during Caucus to authorize Elewski & Associates to proceed with engineering work on the upgrading of the signalization as well as moving forward with the title searches, the right-of-way and the Hazmat. This way it will be done right. That intersection is an important piece of the puzzle in getting everything done properly along Brecksville Road – pre-emption for our safety forces and everything. That will proceed but it might take us into 2009 if we're going to do it properly. Don Elewski will continue to work on it now that we gave approval.

The next item discussed also resulted in Ordinance 2008-31 on First Reading for tonight. That was the topic of EMS billing. This has been previously discussed several times in the past decade. Back in 2003 there were 15 communities in Cuyahoga County that did not bill for EMS services. When we looked at it again in 2005 when Councilman Cichocki presented legislation, it was reduced to nine communities that were not billing for EMS services. Now, as of October of 2008, there will only be two communities left that don't bill for EMS services – Brecksville and Independence.

We're going to have future meetings to look at this legislation again and see how we want to handle it. We'll be getting ideas from Pete Nelson as well as members of Council as to their thoughts on this issue.

It will help bring in revenue that will continue to provide top training for our safety services and also provide top equipment, which is very, very expensive.

It's a work in progress. It may take a few months to get it right and hopefully it will be approved sometime later this year.

The next topic was residential fire protection sprinkler system. At this point no other community in Ohio has that. This is something that Chief Nelson wants to seriously look at to protect residential lives. He will work on getting us additional information.

The fourth topic was the painting of the fire hydrants along Brecksville Road. We have an outside contractor that has sandblasted the hydrants and used a special primer and paint to prevent rusting. We hope to have it last five years. We will be going out to bid to extend the number of hydrants. In the next five years we hope to have all of our hydrants done with this process too.

The next topic was the street striping, which is Resolution 2008-77 on the agenda tonight. We have a bidding process and even though we had a lower bidder, that bidder was not responsive to our needs. Ptl. Savioli in conjunction with Chief Nicastro discussed the bid of Dura Mark. The life of the striping would be two years, so this will probably save the City money by going with Dura Mark.

The next topic was with Bill Zarlenga, who is here tonight. He gave us an update on the testing program and the figures. For the police department there were 109 applicants with 23 no shows for the agility test. Out of 86 that took the agility test 39 passed. Fifty Six percent of the applicants took the application off our website.

For the fire department there were 88 applicants with 15 no shows. Out of the 73 that took the agility test, 40 passed. Fifty five percent got their applications from the website.

I want to thank Bill for updating us at our meeting.

Finally, the police department will be looking into a possible stop sign at the corner of Tanglewood and Evergreen. We'll receive an update at our next meeting from Ptl. Savioli regarding that.

I want to thank both of our chiefs for the work they put into making it a successful meeting. Thanks also to Don Ramm for preparing the signalization information. It was a most productive meeting.

Hopefully we'll be meeting again before the July Council Meeting, but definitely before the August Council Meeting.

RULES AND ORDINANCES COMMITTEE – (KLEPACZ):

Councilman Klepacz reported, on behalf of the Kiwanis Club of Independence we would like to thank all the employees in the Service Department, Rec Department and Community Services Department for all the aid given us for another successful Chicken BBQ on May 18th. That was

the first spring BBQ that I missed since I've been a member of Kiwanis. We spent some time in Minnesota visiting our newest grandchild. I miss holding little baby Milla.

I would like everyone to pay attention to the comments of Chief Nicastro and Chief Nelson with regard to the preparations, and particularly the training that was pointed out to us tonight by the two members of the Fire Department, Mark Coyner and Ryan Dailey . We on the CERT Team are expanding our training. Go to the Independence website, click on the CERT link and you'll find the training schedule. It is essential that one be calm in an emergency situation, and the more one is trained the easier it is to do.

Finally, the Mining Committee met on Wednesday, May 28th and discussed several issues with the mining management. We discussed capital improvements at the mine. The Mine is still seeking alternate truck routes. But blasting procedures were again the main issue again. The Mining Committee has made some recommendations and I will be discussing these with my Council colleagues.

LEGISLATION:

FIRST READING

ORDINANCE 2008-30 2008 AMENDED ANNUAL APPROPRIATION ORDINANCE
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 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 2008-31 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE
SECTION 143.18 RELATING TO PROVISION OF
EMERGENCY MEDICAL SERVICES, FEES AND CHARGES
AND DECLARING AN EMERGENCY

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

Ordinance 2008-31 was placed on First Reading and referred to the Safety Committee without objection.

RESOLUTION 2008-72 A RESOLUTION APPROVING THE TAX BUDGET FOR THE
YEAR 2009 AND DECLARING AN EMERGENCY

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

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

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

RESOLUTION 2008-73 A RESOLUTION AUTHORIZING THE PURCHASE OF FOUR (4) MOBILE DATA TERMINALS FOR THE POLICE DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

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

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

RESOLUTION 2008-74 A RESOLUTION ACCEPTING THE BID OF QUESTCOM GRAPHICS, INC. FOR THE PREPARATION AND PRINTING OF THE MUNICIPAL NEWSLETTER AND DECLARING AN EMERGENCY

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

Resolution 2008-74 was placed on First Reading without objection, pending additional information from Purchasing Coordinator Bob Williams.

RESOLUTION 2008-75 A RESOLUTION ACCEPTING THE PROPOSAL FROM THREE-Z-INC. FOR TOPSOIL FOR THE RESTORATION OF WISNIESKI PARKWAY AND DECLARING AN EMERGENCY

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

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

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

RESOLUTION 2008-76 A RESOLUTION AUTHORIZING THE PURCHASE FROM TWO-WAY RADIO, INC. FOR POLICE VEHICLE EQUIPMENT AND DECLARING AN EMERGENCY

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

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

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

RESOLUTION 2008-77 A RESOLUTION ACCEPTING THE BID OF DURA MARK, INC. FOR THE PAINT STRIPING OF CERTAIN STREETS AND HIGHWAYS FOR THE CITY 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 Togliatti, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

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

RESOLUTION 2008-78 A RESOLUTION AUTHORIZING THE ADDITIONAL EXPENDITURE FOR THE RETENTION OF ELEWSKI & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR MISCELLANEOUS ROADS 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 Togliatti, to suspend the rule requiring two separate readings. Council polled; 7 yes/0 no; motion carried.

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

RESOLUTION 2008-79 A RESOLUTION AUTHORIZING THE ADDITIONAL EXPENDITURE FOR THE RETENTION OF ELEWSKI & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MISCELLANEOUS STORM SEWERS AND DECLARING AN EMERGENCY

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

Resolution 2008-79 was placed on First Reading without objection pending additional information from Engineering Coordinator Don Ramm.

MISCELLANEOUS BUSINESS:

Moved by Klepacz, seconded by Grendel, to authorize Elewski & Associates to proceed with engineering with regard to the upgrade of the signalization at the intersection of Hillside Road and Route 21 in an amount not to exceed \$15,333.00 for engineering and \$14,224.00 for title searches, R/W Appropriation and Hazmat Contractor costs. Council polled: 7 yes/0 no; motion carried.

Moved by Togliatti, 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 8:12 p.m.

Susan E. Kurshuk, Clerk of Council
