

**City Council Meeting  
City of Richmond Heights  
August 23, 2011**

Council President, David Roche, called the meeting to order at 9:17 PM

Pledge of Allegiance to the Flag

Roll Call:

Present: Alexander, Gambatese, Henry, Morgan, O'Toole, Roche

Excused: Headen

Motion made by O'Toole, seconded by Morgan to excuse Headen. Motion passed 6-0.

**Public Hearing for Ordinance 37-2011:**

**ORDINANCE NO.: 37 -2011, INTRODUCED BY O'TOOLE, THIRD READING**

AN ORDINANCE AMENDING SECTIONS 1123.03, 1123.07, 1151.03 1169.08, AND 1169.09 AND ENACTING A NEW SECTION 1169.10 OF THE ZONING CODE TO ALLOW SWEEPSTAKES/INTERNET CAFES AS A CONDITIONAL USE IN A B-2 REGIONAL BUSINESS DISTRICT AND TO RE-NUMBER THE SECTIONS OF THE CHAPTER; AND DECLARING AN EMERGENCY.

David Roche said this ordinance was reviewed and accepted by the Planning Commission.

Audience:

Ken Baka, 1979 Beverly Hills Drive:

He asked if the B-2 Districts on the map were outdated. Dan Spada said the map was outdated and said the B-2 districts are near the mall, and by old BP station.

He also asked about police incidents at the 2 internet café locations. Chief Rowe said there have been very few to none, with no violent crimes.

Baka asked if Council has explored a moratorium. Todd Hunt, Law Director, explained that the City has had a moratorium for the past year. We have also already passed legislation on the fees for the internet cafes. There is a \$5,000 license fee, plus a \$500 per machine/yearly fee. This applies to existing and new operators.

Eloise Henry asked if the meeting was published in the paper and the City board.

The meeting was published once in the News Herald and put on the City bulletin board. Although, it was not put on the outside board. Roche added that the meeting was also advertised on the City website. Todd Hunt said the legislation was introduced June 14<sup>th</sup> and has been discussed at all the meetings since then. Henry did not think advertising it in the News Herald was good enough, as most people do not get that paper.

Marcia Morgan added that the Chardon Road internet café will be grandfathered in the B-1 district.

Jim Polzner, asked why the City does not publish its meeting announcements in the Sun News or the Plain Dealer instead. Those are better options, rather than the News Herald. Most Richmond Heights residents would not see something in the News Herald, as that is not a RH paper.

Mark Alexander said that the News Herald publishes a lot of Rich Hts happenings, such as all the Rich Hts sporting events from the schools.

Vida Habjan, agreed that the Sun News would be a better option for meeting notices.

President Roche closed the Public Meeting at 9:33pm.

The Consent Agenda for Tonight:

1. Minutes of the City Council Meeting from August 9, 2011.

Motion to accept the Consent Agenda by Gambatese, seconded by O'Toole.

Motion passed 6-0.

### **REPORTS:**

Mayor Ursu: If anyone is interested in "How Ohio Cities and Villages Work", there is a pamphlet that we will have at City Hall from the Ohio Municipal League.

Acting Fire Chief Armstrong: The Run Volume is at 990 calls (881 last year, 2010), with a 12% increase. The Back to School Event was on Monday and the Fire Dept participated. They are planning an Open House in October. There will be free educational training on fuel sources, terrorist activities and education.

Police Chief Rowe: Call for Services is at 4,010 with 17,017 activity calls. The Mall is 8.3% of the total calls with 31% of the shoplifting/theft arrests.

Roche asked about the arrests and jail time. Chief Rowe said we keep them for 5 days and get to the county. After 12 days they must go elsewhere.

Assistant Building Commissioner, Spada: YTD there are 663 permits, which is the most we've had in a month. We made \$156,000 in fees. YTD, 296 property maintenance and 597 building inspections. Dairy Queen is looking to renovate their building.

Finance Director, Rossiter: We are training the new finance staff and getting caught up with work.

Service Director, Lazar: Road striping in the Chardon area, and cutting long grass still. Roche thanked Lazar for helping with the tent set up for the Back to School event.

City Engineer, Lee Courtney: Road work is being done full blast and asphalt work will be done soon.

Recreation Director, Drda: Lifeguard games were successful. The Championships were in early August and Rich Hts took 6 first place medals. Next Aug 4, 2012, we will host the Championships here. There will be several thousand people coming. Tents were put up for the Back to School event, and she thanked the Service Dept. Pooches at the Pool will be this Saturday, Aug 27<sup>th</sup>. We will have Cleveland Underdog there, a South Euclid dog rescue group, as well as K9 Kingdom. There is a Recycling grant and contest at the school. We are asking kids to bring in newspapers.

### **Audience:**

Vida Habjan, 4459 Rabun Lane: Thanked the City for keeping the bathrooms open. But, she heard there was vandalism done, and said that was too bad. Lazar said he plans to keep the bathrooms locked up once school starts. The parks will be closed and the bathrooms locked.

## **OLD BUSINESS:**

**ORDINANCE NO.: 37 -2011, INTRODUCED BY O'TOOLE, THIRD READING**  
AN ORDINANCE AMENDING SECTIONS 1123.03, 1123.07, 1151.03 1169.08,  
AND 1169.09 AND ENACTING A NEW SECTION 1169.10 OF THE ZONING  
CODE TO ALLOW SWEEPSTAKES/INTERNET CAFES AS A CONDITIONAL  
USE IN A B-2 REGIONAL BUSINESS DISTRICT AND TO RE-NUMBER THE  
SECTIONS OF THE CHAPTER; AND DECLARING AN EMERGENCY.

- MOTION WAS MADE BY O'TOOLE, SECONDED BY ALEXANDER TO PASS  
ORDINANCE NO. 37-2011. HENRY-NAY. THE MOTION PASSED 5-1.

## **NEW BUSINESS:**

**RESOLUTION NO.: 54 -2011, INTRODUCED BY ALEXANDER, FIRST  
READING**

A RESOLUTION CERTIFYING EXPENSES FOR THE CUTTING AND  
DESTROYING OF NOXIOUS WEEDS AND TALL GRASSES UPON LANDS  
WITHIN THE CITY OF RICHMOND HEIGHTS; AND DELCARING AN  
EMERGENCY.

\* Hold for further discussion and to get the list of assessments from Finance.

**RESOLUTION NO.: 55 -2011, INTRODUCED BY O'TOOLE, FIRST READING**  
A RESOLUTION CONFIRMING THE ACTION OF THE PLANNING  
COMMISSION WITH RESPECT TO THE APPROVAL OF A CONDITIONAL  
USE PERMIT FOR TEMPORARY VEHICLE STORAGE AT 691 RICHMOND  
ROAD.

- MOTION WAS MADE BY GAMBATESE AND SECONDED BY O'TOOLE TO  
SUSPEND THE RULES OF THE CODIFIED ORDINANCE AS PROVIDED IN SEC.  
121.22 OF THE CODIFIED ORDINANCE. THE MOTION PASSED 6-0.
- MOTION WAS MADE BY MORGAN, SECONDED BY GAMBATESE TO PASS  
RESOLUTION NO. 55-2011. THE MOTION PASSED 6-0.

**RESOLUTION NO.: 56 -2011, INTRODUCED BY ALEXANDER, FIRST  
READING**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A WORKERS'  
COMPENSATION GROUP RATING AGREEMENT WITH  
COMPMANAGEMENT, INC. THROUGH THE OHIO MUNICIPAL LEAGUE  
PROGRAM.

- MOTION WAS MADE BY GAMBATESE AND SECONDED BY ALEXANDER TO  
SUSPEND THE RULES OF THE CODIFIED ORDINANCE AS PROVIDED IN SEC.  
121.22 OF THE CODIFIED ORDINANCE. THE MOTION PASSED 6-0.
- MOTION WAS MADE BY MORGAN, SECONDED BY GAMBATESE TO PASS  
RESOLUTION NO. 56-2011. THE MOTION PASSED 6-0.

**ORDINANCE NO.: 57 -2011, INTRODUCED BY ALEXANDER, FIRST READING**  
AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES  
AND OTHER EXPENDITURES OF THE CITY OF RICHMOND HEIGHTS,  
STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2011;  
TO AMEND ORDINANCE NOS. 6-2011 AND 39-2011, AND DECLARING AN  
EMERGENCY.

- MOTION WAS MADE BY GAMBATESE AND SECONDED BY ALEXANDER TO SUSPEND THE RULES OF THE CODIFIED ORDINANCE AS PROVIDED IN SEC. 121.22 OF THE CODIFIED ORDINANCE. THE MOTION PASSED 6-0.
- MOTION WAS MADE BY MORGAN, SECONDED BY GAMBATESE TO PASS ORDINANCE NO. 57-2011. THE MOTION PASSED 6-0.

**RESOLUTION NO.: 58 -2011, INTRODUCED BY ALEXANDER, FIRST READING**  
A RESOLUTION AUTHORIZING THE CITY'S CONTINUED PARTICIPATION IN  
THE OHIO SCHOOLS COUNCIL COOPERATIVE PURCHASING PROGRAM  
FOR 2011 – 2012; AND DECLARING AN EMERGENCY.

- MOTION WAS MADE BY ALEXANDER AND SECONDED BY GAMBATESE TO SUSPEND THE RULES OF THE CODIFIED ORDINANCE AS PROVIDED IN SEC. 121.22 OF THE CODIFIED ORDINANCE. THE MOTION PASSED 6-0.
- MOTION WAS MADE BY O'TOOLE, SECONDED BY GAMBATESE TO PASS RESOLUTION NO. 58-2011. THE MOTION PASSED 6-0.

**RESOLUTION NO.: 59 -2011, INTRODUCED BY ALEXANDER, FIRST READING**  
A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED  
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX  
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

- MOTION WAS MADE BY GAMBATESE AND SECONDED BY ALEXANDER TO SUSPEND THE RULES OF THE CODIFIED ORDINANCE AS PROVIDED IN SEC. 121.22 OF THE CODIFIED ORDINANCE. THE MOTION PASSED 6-0.
- MOTION WAS MADE BY O'TOOLE, SECONDED BY GAMBATESE TO PASS RESOLUTION NO. 59-2011. THE MOTION PASSED 6-0.

**ADDITIONS: -none-**

**CORRESPONDENCE:** Heights Regional Chamber of Commerce- announced the certificate given to the City for its membership. Rossiter added that the City is paying 0% health insurance costs by provider as a member.

**ADJOURNMENT:** Motion was made by Morgan, seconded by Roche to adjourn this August 23, 2011 City Council Meeting at 10:00 PM

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Betsy Traben, Clerk of Council

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David H. Roche, Council President