

City of Richmond Heights City Council Meeting April 24, 2007

Council President Roche opened the meeting at 8:30 pm

Roll Call:

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

8:15 pm- Public Hearing for Ordinance 19-2007:

The Hearing was opened at 8:32pm

Law Director, Todd Hunt, said it was required by the Federal Government, Phase II and the State EPA regulates this. This is the last piece in place; needed by 2007. There are however, some amendments needed for this legislation, so the piece will need to be updated before passage. This will be part of the Planning and Zoning Code.

Resident, Peter Bucilli, who lives near Rich Rd and Allendale, said his property is not getting storm water service, only sanitary sewers. He asked Lee Courtney if he could get hooked up to the existing storm water service. Courtney will look at the property and check it out.

Hunt summarized the legislation, and said it deals with storm water, erosion, sediment control, protection of wetlands, and the setback requirements are approved by the EPA.

Roche closed the Public Hearing at 8:40pm.

Consent Agenda consists of:

1. Minutes of the City Council Meeting from April 10, 2007
2. RESOLUTION NO.: 34-2007, Introduced by Mayor Ursu & Council, First Reading: A Resolution Congratulating Gene and Ginny Distler on the Occasion of their 50th Wedding Anniversary.
3. RESOLUTION NO.: 35-2007, Introduced by Mayor Ursu & Council, First Reading: A Resolution Proclaiming April 27, 2007 as "Arbor Day" in the City of Richmond Heights in Recognition and Support of National Arbor Day.
4. RESOLUTION NO.: 45 -2007, Introduced by Mayor Ursu and All Members of Council, First Reading: A Resolution in support of the Cleveland Observance of the National Day of Prayer on May 3, 2007.

- **MOTION WAS MADE BY GAMBATESE, SECONDED BY ALEXANDER TO PASS THE CONSENT AGENDA. THE MOTION PASSED 7-0.**

Reports:

Mayor Ursu: The Summer Band concerts are all scheduled and schedules are available at City Hall. They will be on Wednesday nights in the park. If it rains, then head to the Lodge.

Finance Director, Rossiter: The budget is wrapped up. Proposal for banking services-process for banks to review by May 30th. Will be sending the finances to the State.

Service Director, Lazar: Lodge has been shut down this week for renovation. The carpets are being cleaned and we are fixing tree lawn damage.

City Engineer, Courtney: Construction progress on the side street sewers. Woods of Richmond is doing concrete work.

Alexander asked about Trebisky and the generator that is running there. He had concerns about noise. Lazar said it is venting the mine and keeping out fumes, should be done this week.

Morgan asked if Courtney was aware of a letter that the EPA may have written about the builder at Woods of Richmond. Courtney said no, but he will keep an eye out for it.

Recreation Director, Drda: Sprayground construction is on schedule, and will open with the pool. The pool staff are mainly all coming back. The Swim Team Championships will be here at Rich Hts in August. The City Edition will be out May 18th. Drda had a tour of the Phypers property and would love for the Rec Dept to have something available to them there.

Building Commissioner, Rodic: 77 permits were in March and 1 for a new dwelling.

Fire Chief, Cek: Annual Hydrant Maintenance on May 1st, and the info will be posted at City Hall.

Police Chief, Rowe: -excused-

Development Director, Gase: Danforth family had a large estate sale last Sunday, and got rid of a lot. It will be open for tours soon. What should we do with the house? This will be discussed in the Service Committee. Gase said he hopes to have some outside people there to discuss this as well.

O'Toole said he went on the tour last Sunday of the old house. He said it is full of a lot of valuable history, and is a good property for the City to have and use.

Audience: -No comments-

OLD BUSINESS:

ORDINANCE NO.: 19-2007, INTRODUCED BY MORGAN, THIRD READING
AN ORDINANCE ENACTING NEW TITLE SEVEN, "STORM WATER MANAGEMENT"
OF PART ELEVEN, "PLANNING AND ZONING CODE," OF THE CODIFIED
ORDINANCES OF THE CITY OF RICHMOND HEIGHTS.

*** HAD PUBLIC HEARING, BUT HOLD FOR ADDITIONAL AMENDMENTS TO ADD.**

RESOLUTION NO.: 25 -2007, INTRODUCED BY MAYOR URSU, THIRD READING
A RESOLUTION APPROVING THE RE-PLAT FOR THE WOODS OF RICHMOND
SUBDIVISION FOR RECORD PURPOSES ONLY.

*** HOLD FOR DICUSSION IN THE PLANNING & ZONING COMMITTEE, AND
ADDITIONAL EASEMENTS ARE NEEDED.**

ORDINANCE NO.: 27-2007, INTRODUCED BY MAYOR & COUNCIL, SECOND READING
AN ORDINANCE AMENDING CHAPTER 1309 OF THE BUILDING CODE TO ADOPT
THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND DELETING
CHAPTER 1361; AND DECLARING AN EMERGENCY.

- **HOLD FOR DISCUSSION IN SERVICE & REC COMMITTEE**

ORDINANCE NO.: 28- 2007, INTRODUCED BY MAYOR & COUNCIL, SECOND READING
AN ORDINANCE ENACTING NEW CHAPTER 1306 OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS, "CERTIFICATE OF AUTHORIZED OCCUPANCY," TO BE APPLIED TO ALL RENTAL PROPERTIES IN THE CITY; AND DECLARING AN EMERGENCY.

- **HOLD FOR DISCUSSION IN SERVICE & REC COMMITTEE**

ORDINANCE NO.: 29-2007, INTRODUCED BY MAYOR & COUNCIL, SECOND READING
AN ORDINANCE AMENDING CHAPTER 1341, "SWIMMING POOLS AND SPAS", OF THE BUILDING CODE TO BE IN CONFORMITY WITH THE PROPERTY MAINTENANCE CODE; AND DECLARING AN EMERGENCY.

- **HOLD FOR DISCUSSION IN SERVICE & REC COMMITTEE**

NEW BUSINESS:

RESOLUTION NO.: 36 -2007, INTRODUCED BY GAMBATESE, FIRST READING
A RESOLUTION GRANTING A HEIGHT VARIANCE FOR A SENIOR LIVING FACILITY AT 4 MERIT DRIVE.

- **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. MORGAN SAID NO. THE MOTION PASSED 6-1.**
- **MOTION WAS MADE BY GAMBATESE SECONDED BY O'TOOLE TO PASS RESOLUTION NO. 36-2007. MORGAN SAID NO. THE MOTION PASSED 6-1.**

MORGAN POINTED OUT SHE WAS AGAINST THE 3 STORY HEIGHT, AND ALSO THE FACT OTHER BUILDING COULD GO TO 4 STORIES IN THE SOUTH AND EAST AREAS (WITH I-1 INDUSTRIAL).

RESOLUTION NO.: 37 -2007, INTRODUCED BY O'TOOLE, FIRST READING
A RESOLUTION CONFIRMING THE ACTION OF THE PLANNING COMMISSION APPROVING A SITE PLAN FOR A SENIOR LIVING FACILITY AT THE CORNER OF RICHMOND ROAD AND MERIT DRIVE.

- **MOTION WAS MADE BY O'TOOLE AND SECONDED BY GAMBATESE TO SUSPEND THE RULES OF THE CODIFIED ORDINANCE AS PROVIDED IN SEC. 121.22 OF THE CODIFIED ORDINANCE. MORGAN- NO, THE MOTION PASSED 6-1.**
- **MOTION WAS MADE BY GAMBATESE SECONDED BY O'TOOLE TO PASS RESOLUTION NO. 37-2007. MORGAN SAID NO, THE MOTION PASSED 6-1.**

RESOLUTION NO.: 39-2007, INTRODUCED BY O'TOOLE, FIRST READING
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT FOR WATER MAIN FACILITIES (KLUK).

- **MOTION WAS MADE BY O'TOOLE 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 7-0.**
- **MOTION WAS MADE BY MORGAN SECONDED BY O'TOOLE TO PASS RESOLUTION NO. 39-2007. THE MOTION PASSED 7-0.**

ORDINANCE NO.: 40-2007, INTRODUCED BY ROCHE, FIRST READING
 AN ORDINANCE ESTABLISHING A SPECIAL FUND DESIGNATED AS THE "CITY BEAUTIFICATION DONATION FUND".

- **MOTION WAS MADE BY O'TOOLE 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 7-0.**
- **MOTION WAS MADE BY GAMBATESE SECONDED BY ALEXANDER TO PASS ORDINANCE NO. 40-2007. THE MOTION PASSED 7-0.**

RESOLUTION NO.: 41-2007, INTRODUCED BY O'TOOLE, FIRST READING
 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT FOR WATER MAIN FACILITIES (SOVA).

- **MOTION WAS MADE BY O'TOOLE 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 7-0.**
- **MOTION WAS MADE BY GAMBATESE SECONDED BY O'TOOLE TO PASS RESOLUTION NO. 41-2007. THE MOTION PASSED 7-0.**

RESOLUTION NO.: 42 -2007, INTRODUCED BY O'TOOLE, FIRST READING
 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT FOR WATER MAIN FACILITIES (RADDELL).

- **MOTION WAS MADE BY O'TOOLE 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 7-0.**
- **MOTION WAS MADE BY MORGAN SECONDED BY GAMBATESE TO PASS RESOLUTION NO. 42-2007. THE MOTION PASSED 7-0.**

RESOLUTION NO.: 43 -2007, INTRODUCED BY O'TOOLE, FIRST READING
 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT FOR WATER MAIN FACILITIES (KITCHELL/WHITING).

- **MOTION WAS MADE BY O'TOOLE 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 7-0.**
- **MOTION WAS MADE BY O'TOOLE SECONDED BY GAMBATESE TO PASS RESOLUTION NO. 43-2007. THE MOTION PASSED 7-0.**

RESOLUTION NO.: 44 -2007, INTRODUCED BY O'TOOLE, FIRST READING
 A RESOLUTION ACCEPTING THE BID FOR SECTIONS III AND IIIA OF THE BID SPECIFICATIONS FOR THE RECONSTRUCTION OF SKYLINE DRIVE AND GLEN OVAL AND AUTHORIZING A CONTRACT THEREFOR.

- **MOTION WAS MADE BY O'TOOLE 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 7-0.**
- **MOTION WAS MADE BY MORGAN SECONDED BY GAMBATESE TO PASS RESOLUTION NO. 44-2007. THE MOTION PASSED 7-0.**

ADDITIONS: -NONE-

CORRESPONDENCE: -NONE-

MOTION WAS MADE BY O'TOOLE, SECONDED BY GAMBATESE FOR AN EXECUTIVE SESSION TO DISCUSS PERSONNEL. MOTION PASSED 7-0.
EXECUTIVE SESSION WAS HELD FROM 9:02- 9:35 PM.
ROCHE RECONVENED AT 9:35PM.

ADJOURNMENT: A MOTION WAS MADE BY ROCHE, SECONDED BY MORGAN TO ADJOURN THIS APRIL 24, 2007 CITY COUNCIL MEETING AT 9:35 PM.

BETSY TRABEN, CLERK OF COUNCIL

DAVID ROCHE, CITY COUNCIL PRESIDENT