

**CITY OF INDEPENDENCE  
REGULAR COUNCIL MEETING MINUTES  
FEBRUARY 12, 2008 7:00 P.M.  
COUNCIL CHAMBERS**

**CAUCUS:**

Vice Mayor Vern Blaze called the meeting to order at 5:13 p.m. Present were Mayor Gregory Kurtz, Council Members Jim Crooks, Dave Grendel, George Klepacz, Tom Narduzzi, Jim Riley and Anthony Togliatti. Also present were Finance Director John M. Veres, Law Director Greg O'Brien, Engineer Don Elewski, IT Coordinator Jim Gibbs and Executive Assistant Ron White.

Vice Mayor Blaze stated, on Second Reading is Ordinance 2008-02 which was discussed extensively in the Workshop. I don't know if there's anything else to add.

Councilman Klepacz asked Mayor Kurtz, on the chief administrative officer, what is this person's place in the chain of command and what is their decision making ability?

Mayor Kurtz replied, we have Ron White doing the job right now part-time. He facilitates all the different things and communicates with me and facilitates things that need to be done. He's a collection of all the different questions that are being asked of the various administrative people. There are 18 people who report to the Mayor. He's a conduit. As far as authority, ultimately the buck stops at the Mayor's Office.

Ron White added, I don't have any authority to spend money. I don't have any authority to command or direct people to do things. I can ask them questions and solicit information.

Councilman Klepacz asked, where are you going to house this person?

Mayor Kurtz replied, we'll find room around here. That's not a big issue.

Councilman Klepacz asked why is it that the chief administrative officer is at a higher pay level than the economic development director? Based on the arguments of yesterday it would appear it should be reversed.

Mayor Kurtz replied, I don't think so. There are two different distinct roles. Ron has played them both on a part-time basis. There is no way you can say that one is more important than the other. If he's out getting a new customer, he's more important doing that. Or is he more important helping us become more efficient? I don't know. Who is more important, Council or the Mayor? I don't know.

Councilman Klepacz responded, I was just curious why the chief executive officer was a higher level.

There were no further questions or comments regarding Ordinance 2008-02.

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Vice Mayor Blaze stated, on First Reading is Ordinance 2008-07 regarding various revisions to the Codified Ordinance. I think this is a standard thing that we do involving Walter Drane with the updating of our Codified Ordinances.

There were no objections noted to passing Ordinance 2008-07.

Vice Mayor Blaze stated, Ordinance 2008-08, an amendment to the annual appropriation ordinance.

Finance Director Veres asked, is the cemetery fund legislation going to be passed today?

Mayor Kurtz replied, the way I look at the cemetery legislation is we've been working on it for years. The whole purpose of the legislation is to get it in play – put it on first reading, send it to Public Lands & Buildings Committee and then be able to pass it at the next Council Meeting so that we can be back in business.

Councilman Crooks stated, the legislation that creates the cemetery fund I believe is not coming out of Public Lands & Buildings. I think it's coming out of Finance Committee. Is it germane to have that piece of legislation discussed in Public Lands & Buildings, or in Finance?

Mayor Kurtz replied, I don't think it matters.

Vice Mayor Blaze stated, even though it's coming out of Finance I think it's more appropriate for Public Lands & Buildings to talk about it.

Law Director O'Brien stated, the only way it's going to be used is if you eventually pass the cemetery ordinance, otherwise nothing is ever going to go in it.

Councilman Crooks stated, we have a meeting scheduled for next Tuesday. We can talk about it then.

Mayor Kurtz stated, if you can't attend that meeting, throw your two cents in to the Clerk relative to how much we want to charge. We all have the data that was passed out, based on the market and the value and what we're paying today. Look at that information again and either come to the meeting and be prepared to discuss it, or get your information out. Last fall we had 32 or 34 people on the list. Now we have around 84 people on the list. We have to get this thing done or it's going to just keep growing. The issue is, how much are those people on the list going to pay and what areas they're going to be allowed to occupy. If we can hone in on how much we're going to open up, how much it's going to cost for the people on the list and how much it's going to cost ultimately, those are the issues I need to get framed for not only legislation but for the people who are going to want cemetery plots.

The phasing and future we can talk about after we get this passed. I'd like to get this passed next month so that we're in business and we can then clean up the people on the list.

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Finance Director Veres stated, we have an area of our current general fund budget which is in the service department, the public health and welfare section. Cemetery costs come out of there as well as a line for our contract with the county Board of Health. The county Board of Health line would be moved to the general fund in the general government area. The rest of those items I think would be moved to the cemetery fund when we do create it.

I just wanted to bring this up as a future amendment.

There are just two small changes to the appropriation ordinance – because of the FEMA grant which is on the agenda tonight and the 25&Alive for Angie. There was a project she was working on at the end of last year. I failed to encumber the available funds for that last year. Those are the only two items for this month.

Vice Mayor Blaze stated, next is Ordinance 2008-09.

Ron White stated, this is being withdrawn because there has been some reconsideration on the part of the county engineer to form this in a different way.

Mayor Kurtz commented, we met with the county engineer today. We'll summarize that in our expanded administrative update at Councilman Grendel's request. We'll give you bullet points in terms of the various meetings that are germane to various projects in the future. In this case, for example, we talked about Hillside Road and how we've tried to get cooperation with Seven Hills in order to advance that project. The county has taken that project and basically linked it together from Brecksville Road to Broadview Road. We have our engineering done and they don't. They received a grant, Issue 2 funds and for some reason the fact that they've not sent information to the county stops the project from going on the list to be put into the system for evaluation and consideration, which is at least a four year process. We're going to have a meeting with Seven Hills and find out what the holdup is. The fact is that if they got their information in right now, it would be four years.

I believe that back in the 90's they linked it up as one project and as a result they will not unbundle it. We can't even get into play or in the process until we get their engineering information supplied.

Vice Mayor Blaze commented, we could do it earlier, but we'd have to pay for it.

Councilman Klepacz stated, so even before we could get on the list it would be four years. So that would take us to 2012. So if we were on the list for 2012 when would it get started?

Ron White replied, it wouldn't necessarily get started in 2012. It might be several years after that.

Councilman Klepacz responded, so we could be talking about another eight years realistically. Would it behoove us to grind and repave?

Mayor Kurtz asked, grind and overlay?

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Vice Mayor Blaze replied, we may end up doing that.

Councilman Klepacz responded, I think we should explore that possibility.

Mayor Kurtz replied, that's probably one thing the Streets Committee will look at. We're going to try and find out where Seven Hills is at. Once we get that information we'll probably say to put this on an interim approach project list because it's going to be eight or ten years before this thing takes place as a full blown project. As soon as we get some information back we'll do that. When you call a meeting, put it on the list.

Vice Mayor Blaze stated, next is Ordinance 2008-10 creating the new position of engineering coordinator/public service coordinator.

There were no questions or concerns noted.

Vice Mayor Blaze stated, Ordinance 2008-11, creating a cemetery fund. We've discussed that already.

Next is Ordinance 2008-12, amending the tree trimming ordinance.

Councilman Riley stated, on the last page under "h" it should read *shall be removed* from the tree trimming and removal list. If they refuse to have it done when they're called, they're off the list because obviously it's not an emergency. They can't just get on the list for whenever it's convenient.

Law Director O'Brien asked, what about saying *deleted* from the list.

There were no objections noted to using *deleted* rather than *removed*.

Councilman Klepacz stated under "e" all fees paid should be deposited in the City's tree fund. Later on it says the property owners pay in advance. I thought we talked about the property owner paying New Heights.

Finance Director Veres replied, for stump grinding.

Councilman Riley added, for additional work that isn't covered by the ordinance.

Councilman Klepacz stated, so anyone who is on this list and New Heights shows up they already have to have the money paid to us?

Councilman Riley replied, or they'll have a check made out to the City and gives it to New Heights before they'll begin the work. If they ask for additional work such as stump grinding, make the check to New Heights and we have nothing to do with it.

Mayor Kurtz stated, I think we need to do something in the Newsletter once it gets approved to explain the program to residents. An issue brought up at our team meeting this morning was that

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Dave Snyderburn asked if we could look at modifying the \$125 and doing something incrementally because we have people on the list right now for \$75. How do you tell those people that the price is going up to \$125? He suggests that we do something incrementally, start out by going from \$75 to \$100 and then up.

Councilman Narduzzi asked, could those on the list be grandfathered at \$75.

Councilman Togliatti added, like we're doing for the cemetery.

Mayor Kurtz replied, there's a couple of hundred on the list.

Councilman Riley responded, that's okay because they have the updated list in our system. For anyone who would call tomorrow, it would be at \$125.

Councilman Klepacz replied, I think \$125.

Councilman Grendel also agreed with \$125.

Councilman Riley replied, I have no problem with that.

Mayor Kurtz stated, you're on the list and you read the Newsletter but it won't affect you because you're on the list.

Several people speaking at once.

Mayor Kurtz stated, so we're going to leave this at \$125 but anybody on the list is going to be grandfathered so that when we go public with this new ordinance these people on the list will know that they're at \$75.

Vice Mayor Blaze commented, in Section G when this legislation was originally adopted in the 90's, it read and was intended to be for diseased, damaged or dead trees, period. Under those three qualifying criteria the program expanded way beyond diseased, damaged and dead trees. Now we're expanding it for some other reason and opening it up to making it kind of legal to do what we were doing all these years when we shouldn't have been. If we already exceeded what it was supposed to be in the past, now we're opening it up and we could take this even well beyond that. We're basically cutting every tree down on private property, period because we're giving ourselves such latitude here to make any tree qualify. I just don't know if that's the intent of what this program started out at.

Mayor Kurtz replied, I don't know if you're going to be able to manage this program to the nth degree. It's going to be discretionary. Unless one of us is going to go out and look at each one, you're going to depend on the service director to make a judgment call, implement the program. This is the first time we've really looked at it and raised the price in a decade, so we're making progress. I'll have to watch it and see that the service director understands the intent.

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Vice Mayor Blaze replied, the intent was clear when it read *diseased, damaged or dead*. Now that it has been opened up to allow just about anything that can pose a threat and safety to personal property, it's open to judgment.

Mayor Kurtz replied, if there are two healthy pine trees by the road, tell me where it's diseased, damaged, dead or a public safety issue to the personal property?

Vice Mayor Blaze replied, they interpreted it that if the tree was 100 feet tall and it was less than 100 feet from the house and it could fall and hit the house, it's a safety issue to the house and it qualifies.

Mayor Kurtz replied, I think the fact that we've focused in on the ordinance is evidence enough that people are paying attention. All I can say is let's watch and see how we go from this point because we know the history of the past ten years – one step at a time, baby steps.

Vice Mayor Blaze responded, that's a huge step for some other reason. I've been consistent on trying to reign this program in a little bit. All the other changes – the fee, being clear on who pays for the stump grinding and all that stuff. This is expanding this program significantly by that one clause.

Mayor Kurtz responded, I think we've taken steps to trim the program by saying if you want to have your stump done, you pay for it. I think that will shrink the program.

Councilman Crooks asked, is there a reason why that has to be included in here then, the new language?

Vice Mayor Blaze replied, I think it's making legal what we were doing all these years anyway.

Councilman Crooks asked, how often are we removing trees that don't fall into one of these three categories – diseased, damaged or dead?

Vice Mayor Blaze replied, I think quite a few if you ask the service director.

Councilman Crooks asked, can we ask him when he gets here and come back to this?

Law Director O'Brien replied, I added that based upon discussion. From my notes, the majority of council wanted to have some discretion on the service director. I could be wrong.

Councilman Riley added, I think with Ed Kuscevic coming in for the discussion, he has only been doing it a short time and is more clear on the parameters of the program. As the Mayor said, tighten the reigns on it a little bit. If you go out and determine that it doesn't apply to the program, they can hire New Heights and pay for it. That's why I said the people who are on the list, qualify, are called and don't want the work done at that time should be deleted and we're on to the next person.

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Vice Mayor Blaze stated, it's my opinion that we've expanded the qualification so there are very, very few trees that won't qualify for the program. The safety to personal property, your property is your land, so if you have a tree on your back 40, it's a safety hazard to your property so it qualifies. Everything qualifies the way it's written.

Councilman Riley asked, would you like it back the way it was originally written?

Vice Mayor Blaze replied, diseased, damaged or dead. But if the majority opinion here and the Administration likes it the way it is, I don't have to administer the program. I'm just saying we've expanded it when it was diseased, damaged or dead and now we're formalizing the practice that we had in place all the time. That's not cutting back the program at all. It's expanding what qualifies.

Councilman Riley responded, I think there have been times when this has helped, for example, when a tree is leaning toward a neighbor's house or property. The resident who owns the tree may say if it falls, it's an act of nature. But the neighbor with little kids says can you get this thing down? I know of neighbors who have paid for other neighbor's trees to come down, paid the fee for them.

Councilman Klepacz commented, I know of a situation where the tree overhangs a garage.

Councilman Riley responded, so this gives some leeway.

**Moved by Riley, seconded by Grendel, to amend Section (h) of Ordinance 2008-12 to read, *deleted from rather than removed from. In Section (e) Tree fund will be replaced with General Fund. Council polled: 7 yes/0 no; motion carried.***

Finance Director Veres commented, in (e) I noticed it says *all funds should be deposited into the City's Tree Fund*. I'll check with Carol on that. This is the first time I've seen the ordinance since it was already in place when I took office. I just want to make sure she is aware of that. I don't think all the money is going into the Tree Fund – in the General Fund.

Vice Mayor Blaze asked, do we have a Tree Fund?

Finance Director Veres replied, yes, it's very small. It was for developers to deposit money.

Councilman Riley replied, so from now on it has to go into the Tree Fund.

Finance Director Veres replied, right, if you want to keep it that way.

Mayor Kurtz commented, the Tree Fund was not originated for this reason.

Finance Director Veres replied, right. Right now it's in a line item in the General Fund.

Mayor Kurtz asked, do you want to remove that then and put it in General Fund?

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Finance Director Veres replied, just put General Fund.

Councilman Crooks asked, so we're going to leave this and approve it as written?

Mayor Kurtz replied, as amended.

Councilman Crooks asked, but as written in Section (b)?

Mayor Kurtz replied, right.

Councilman Crooks stated, I would still like to ask the service director if he's here before the end of Caucus about this and see what he has to say, if no one minds.

Mayor Kurtz replied, sure.

Vice Mayor Blaze stated, next is Ordinance 2008-13, the U-3 Special Use Permit to St. Maron's Church. I don't think anything more needs to be said about that.

There were no objections noted to passing Ordinance 2008-13.

Vice Mayor Blaze stated, Ordinance 2008-14, Mapleshade Cemetery fees. Is this the one we want to place on First Reading and refer it to Public Lands & Buildings committee?

Mayor Kurtz replied, yes.

Councilman Crooks added, which will be next Tuesday at 2 p.m.

Vice Mayor Blaze stated, Ordinance 2008-15, the new position of management analyst.

Councilman Klepacz asked, can we review again about the CAFR (Comprehensive Annual Financial Report) again? Is that required by the state?

Vice Mayor Blaze replied, we legislated that last year. I thought it would be a better decision making tool for us to use than the current report that we put out.

Finance Director Veres replied, right.

Councilman Klepacz asked, so it's not required by the state?

Finance Director Veres replied, it's not required by the state.

Councilman Klepacz asked, so it's not required by the state. We pass it. I don't have any problem with it. So if it's not required by the state, is there a deadline for it?

Finance Director Veres replied, yes.

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Councilman Klepacz asked, and the deadline is because of our legislation?

Finance Director Veres replied, the deadline is because anyone who files a CAFR has to file it by a certain date. If you don't, and that's why we were always audited later in the year, because we didn't have a CAFR so they would do all the CAFR's first because there was a deadline for CAFR's to be filed and then they'd do everybody else. There would be years where they wouldn't show up until July to begin the audit. Now, they have to wrap up their work by May 31<sup>st</sup> and have the month of June to finalize everything and then present the CAFR.

I passed out a list of the interns that have worked over the last couple of years in the Finance Department. They were averaging about \$7,000 a year and then last year heading into a year of additional work and the deadlines moving forward I didn't have as much help in November and December. Nobody was there actually and nobody has been there in January or February. So this position was never intended to be a full-time position for the Finance Department. It was supposed to be part-time help in the Finance Department and also help the Mayor's Office. The position would be shared between the two. I don't think these costs would continue if this position was approved. These part-time figures are without a CAFR, the 5 Year Capital Plan and without looking at the new software program.

Councilman Klepacz asked, didn't we approve the new software program?

Finance Director Veres replied, but we haven't implemented it yet and researched it yet. Once it's implemented it would be a tool if you use it properly. So the work an intern would do, plus that additional work would take up 40% to 50% of this person's time on an annual basis I would think.

Councilman Klepacz stated, I was under the impression that we have to go back ten years.

Finance Director Veres replied, yes.

Councilman Klepacz responded, initially, whoever is going to be doing this would be just entering data into some sort of program.

Finance Director Veres replied, contacting different state, county and federal agencies for this data gathering and coordinating that whole effort. We are also in negotiations with five unions this year. We had an inaugural ball. We had a change in administration, all this without additional help that I usually have at this time. If this position isn't created, I'm definitely going to have to hire two interns. In my mind it's really what the other half of this person's job would be that would be the deciding factor because the tasks in our office are going to be there and are going to continue to be there, especially with the upgrade in the software.

I'd like to get to the point where if we upgrade our software, we don't need the LGS conversion team coming in to convert us from a cash to an accrual basis. Our software will be able to perform that task. That would save \$15,000 per year. But, you would need a staff member to coordinate that effort. You have to make monthly entries. It would be almost like running a business – closing your books monthly, accruals, depreciation entries, recurring entries,

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payables. That's what the auditors are working on now – they call it a Local Government Service Team. You can either use the state or use a third party. The state gets first dibs and then they divide out the work if they have more work than they need.

Councilman Riley asked, so the state comes in and does that and they also audit you?

Finance Director Veres replied, a different team comes in and audits their work.

Councilman Riley commented, so this person would eliminate the \$15,000 that we have to pay every year.

Finance Director Veres replied, right. You wouldn't need a conversion team. If you implement the software and the software is capable of creating a balance sheet and income statements, then you don't need the team. Right now it's just cash basis recording. We don't have a balance sheet. We don't have the capability with the software that we have.

Councilman Togliatti asked, with this new software do we have any idea of the time that would be invested in creating these reports?

Finance Director Veres replied, I don't think there will be a lot. It's the power of the software. I do it at my other job on an accrual basis, monthly financials. There is a system in place. I would think that would probably be a week per month that would go toward closing the month. Then when you close the year it would expand to three or four weeks work.

You generate work papers and then the audit team comes in and looks at it. That would also save on the audit team because if you present everything they audit, it saves us money.

Councilman Riley asked, what does it cost us?

Finance Director Veres replied, probably \$15,000 and \$15,000, so about \$30,000 per year.

Councilman Riley asked, so you'll get one down to zero but not the other?

Finance Director Veres replied, you can reduce the other one, but if your work papers are there. If they're auditing your fixed assets, then you give them the book and you have all the support for the purchases. They don't have to look anywhere else. It reduces their time.

Vice Mayor Blaze commented, it's like when you take your records to your accountant to do your taxes. If you bring them everything sorted – itemized deductions and such, they can knock it out one, two, three. If you hand them a big box of unsorted information, it's going to take them much longer.

Councilman Crooks asked Finance Director Veres, do you see this position assuming some of the responsibility for this program that we budgeted \$90,000 for?

Finance Director Veres replied, yes.

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Councilman Crooks asked, this person will work hand in hand with the program?

Finance Director Veres replied, yes.

Councilman Crooks asked, but we still need the program?

Finance Director Veres replied, yes.

It's a sensitive topic but in my department there is an individual who is near retirement and I would say that within the next four years they would retire. It's not that I'm asking them to but she has mentioned a couple times to me that she would like to. If this position is created, I wouldn't see the need to replace that position once it becomes open. This new position would help with the closings. Carol closes the month now but on a cash basis.

Councilman Crooks asked, so that person's responsibility could fall under the umbrella of the responsibilities of the current person?

Finance Director Veres replied, I would think that the new person would be educated enough to perform those tasks.

Councilman Crooks stated, we've heard a lot about how this analyst position would work within the context of helping the finance director. I don't have the job description with me, but I went through it in detail and if I remember correctly, this person would not just be parceled to the finance department. Am I wrong?

Finance Director Veres replied, no.

Vice Mayor Blaze added, not at all. I think the value added is not to diminish the functions he or she would be doing in John's office, but to me the value added is what they do beyond that – taking the better information that's developed out of the finance department and helping the finance department, the administration and us make better decisions with that better information, with better analysis, instead of just doing things with opinions rather than factual analysis.

Mayor Kurtz stated, the goal from the administration side is to have accountability more measurable in whatever tasks. Their work would actually be reviewed and put in place – whether it's a presentation to Council or it's an internal presentation by one of the departments. The goal is to raise the bar. I don't want the money you're saving here to start overlapping into the other side of the coin with this position. It doesn't mean if we pass this you don't get him because you're saving enough money.

Councilman Crooks asked, could this person regularly report to Council, whether in person or in the form of a memo?

Mayor Kurtz replied, the reporting would be in terms of when you're asking specific questions, or if we have something we want to present to you, that person would be in a position to present the information that you're asking for to be able to make a decision.

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I think we're not only going to upgrade the Administrative Update but I think the other part of that is that not many people want that thick financial summary anymore. No one takes the time to really go through it point by point and be able to ask questions. Streamlining that would be beneficial to everyone. We do summaries – a bullet point summary of the month's reporting. You get to the point where everyone is comfortable with it. It would be much easier to do that. Then if we have a program or some issue or some project, that's when that person would come in and make their report to this body – after it cleared the hurdles of the finance department or administration and we wanted to present something. That would be one of the potential opportunities for this person.

Finance Director Veres stated, we have the snowplowing. We have the rubbish removal. We have the implementation for sanitary and storm. We have the EPA.

Mayor Kurtz added, utilization, return on investment, finding out what other communities are doing, what tools they have in the toolbox to make us more disciplined, more accountable, more strategic in terms of decision making. It's all part of a concept, a master plan to raise the bar and become more efficient and productive.

We don't need any of this change if we're going to stay the course.

Councilman Riley asked, so this person would analyze, for example, every year we buy new police cars and put those into usage throughout the City. Maybe that isn't the most efficient way to do things because of what it costs in servicing those. We bought two cars with 10,000 miles but we saved around \$10,000. Is that what this person would be doing on a daily basis?

Mayor Kurtz replied, that's one example.

Councilman Togliatti asked, isn't that what purchasing does right now though?

Mayor Kurtz replied, the purchasing coordinator does some of that but it's not on a regular basis.

Vice Mayor Blaze added, he's purchasing almost \$20 million worth of items on a yearly basis. We don't bid all \$20 million worth. If he's doing his job right, he's shopping everyday to make sure he's getting the best price on whatever the purchase may be. Whether he can do the detailed analysis on everything I don't know. He probably works closer with John Veres.

Councilman Riley commented, purchasing guys usually get hit with I needed this yesterday, so there is not always time.

Councilman Togliatti replied, that would be the same for this person if they needed it yesterday. They wouldn't have time to analyze.

Councilman Riley responded, not if they looked at all of our processes that we're talking about.

Mayor Kurtz stated, I understand and respect what you're saying, but realistically there are a lot of decisions, a lot of information that could be looked at in terms of the administration and

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department heads so they'll be making better decisions. I am not suggesting that our department heads aren't capable or qualified, aren't good workers, but I think once you get to the point where you're running at this level and there is no room to move up, you need help to do that. You need help to become more sophisticated. I think that's what we're asking you to look at here.

Councilman Togliatti replied, correct me if I'm wrong, but we're paying \$90,000 for a top of the line software package which is going to make the finance department much more efficient. We'll be able to pull reports with the click of a button rather than working with dozens of spreadsheets to try and generate these reports.

Mayor Kurtz responded, but it doesn't happen without people.

Councilman Togliatti replied, I understand that, so this person could have a maximum salary of \$75,000 and we need this person to run this software package that should be user friendly and very quick and very efficient.

Also, we have someone who is retiring in four years that we're not going to have to replace in four years because they won't be needed. Are they needed when we hire this new person? Will they be needed for the next four years?

I'm having a problem with the logic behind that.

Finance Director Veres replied, right now in my department there are two people who know every task except for the tasks that are performed by Carol. I don't feel comfortable with that. There is no backup if she's gone. If this job is created, this person would not be sitting at her side 24/7. It would be part of that task to learn the month end closings. But once this new software program is in place it's expanding the closing and it's reducing the need for the conversion, eliminating the need for the conversion team. It's reducing the audit time because everything is going to be handed to the auditors. They just need to sit down and go through their work papers. It will be the easiest audit they've ever done because I've been on the other side and know what they look for. You're basically preparing the work (inaudible) for them.

Mayor Kurtz responded, you're talking about the savings we're going to generate by the savings in terms of the audit process and the cost of our audit – about \$15,000 here, \$10,000 there, relative to the \$90,000 investment.

Councilman Togliatti commented, \$90,000 is for the software and it's \$75,000 for the individual.

Finance Director Veres replied, with or without this individual the \$90,000 is coming down the road.

Councilman Togliatti replied, exactly. But I'm trying to justify the fact that we need to pay somebody to run our software package that's supposed to make things easier for us. We're using an older system and we don't have to pay somebody that much money to run that. You're running that.

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Finance Director Veres replied, right. It would free up more time for me to manage the system like I would want to manage the system in an accrual basis world.

Vice Mayor Blaze commented, you should be a manager and not a data entry clerk or a computer processor. You should be doing managerial level functions.

Finance Director Veres stated, it would free me up to manage the software in a manner I would like to. I'm going to sit down and enter the assets if nobody else is around to do that. It has to get done. The due date is now three months earlier than it used to be.

Mayor Kurtz stated, I think Councilman Togliatti said yesterday that there are alternative methods of achieving the same goal. One of them is a hired consultant. When you're done with the consultant he's gone.

Finance Director Veres responded, I have a letter on my credenza from a CPA firm that does CAFR's. I didn't throw it away because either we're going to pay a consultant or we're going to pay interns to do it, but somebody needs to do it.

Councilman Togliatti commented, looking at everything that I've gathered so far, we need to prepare CAFR's. There are ten years of backdated files. It's going to be labor intensive and take a lot of time. At the same time we're dealing with contract negotiations, which occur every three years.

Finance Director Veres responded, which is labor intensive.

Councilman Togliatti continued and at the same time we're preparing for the audit. So in the next three months we have a lot of work in the finance department. Moving forward the CAFR needs to be maintained on a yearly basis, which isn't going to take nearly as much time as it's taking this year with going back ten years. In the future we only have to update one year.

Contract negotiations occur every three years. We won't have to deal with them for three more years.

The audit is obviously yearly.

The other setback we had this year is that took the time of a lot of finance department personnel is the inaugural ball.

I propose that Council looks into hiring a part-time person immediately to take care of these things in the next three months. We don't need to create a new position that is going to be paid anywhere between \$50,000 and \$75,000 per year, every year. And when we're talking about analyzing street plowing and garbage pickup, if we're really interested in saving money on those things, let's hire a municipal consulting firm that specializes in this. I've worked for a management consulting firm and it's amazing the resources they have. You can hire a consulting firm that may have worked with a dozen municipalities looking at the same things. They're going to come into the project with a wealth of knowledge. They'll be able to make

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recommendations. This new person whose minimum experience would be a BA Degree and one year of experience and trying to justify that as a beneficial use of taxpayer dollars I'm having a hard time.

Finance Director Veres responded, you haven't touched upon the transition period and the non-replacement of a financial secretary.

Councilman Klepacz responded, perhaps that would be the time to reconsider bringing this financial analyst onboard – when that occurs.

Councilman Togliatti asked, are you talking about in four years when this person retires?

Finance Director Veres replied, it could be two rather than four.

Councilman Klepacz responded, we don't know when that is. As Councilman Togliatti pointed out, we have some temporary challenges right now, so the issue is why create a permanent position for a temporary challenge?

Finance Director Veres replied, in my mind the temporary challenges are going to last a year when you throw in the software, creating the work papers for the audit, reporting on accrual basis as opposed to cash.

Councilman Togliatti replied, creating all those reports should be easier with the new financial package. You're spending \$90,000 to make things easier.

Finance Director Veres replied, we're going to be spending \$90,000 anyways, so forget the \$90,000 argument.

Councilman Togliatti responded, that's to make things easier and more efficient in the finance department, correct?

Finance Director Veres replied, if the personnel is there and educated to use the software.

Councilman Togliatti stated, when we budgeted \$90,000 to buy the software package there was no mention of any personnel necessary to run that software package.

Finance Director Veres replied, I evaluated the department and I cannot hand that task to the person who closes the month right now. It's an accrual basis software package.

Mayor Kurtz commented, for that one task it's pretty much understood that John Veres can hire a part-timer when he has a specific task, but that task is ongoing. Remember, we're talking about a person who can perform at this level, perform the functions that relate back to money. You can look at this thing a dozen different ways. There isn't necessarily a right or wrong answer to it. It's just that the two of us believe that if we're going to take advantage of opportunities, expect our department heads to be more sophisticated, more knowledgeable, make better decisions and

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make better presentations to Council in the big picture of spending money, we need tools to be able to do that. The position isn't going to be all finance related.

Finance Director Veres replied, I was going to say that.

Mayor Kurtz continued, there are a lot of things to be done that someone in this capacity can throw out a lot.

Councilman Togliatti asked, what exactly are those things?

Vice Mayor Blaze replied, if I thought that the scope of that position was going to be more task oriented with a lot of these things we're talking about that need to be done soon, I could more readily accept your comment of just bringing in a consultant because it's a temporary thing. But I see the position as being much greater than just that. As soon as the CAFR is done in June good budgeting practice says that by summer we should be starting to work on next year's operating budget. We've never really budgeted with that much foresight.

Councilman Togliatti responded, we've been (inaudible) with interns for \$4,000 a year.

Vice Mayor Blaze replied, I'm talking about if we have a management analyst in the position helping John's department, that way in summer he could visit every department head and start really crafting a budget the way you're supposed to, with input from your departments. Do you know how much input our departments had in their operating budget – none. We passed it and we give it to them.

Finance Director Veres commented, before I got here they had none. They never sat down with the Finance Director to prepare their budget. They were all shocked when I invited them to sit down.

Mayor Kurtz commented, I used to prepare the budget for them. We switched that over to the finance director.

Vice Mayor Blaze stated, I stopped in to talk to Heather Glaze and she's looking at our overtime expenditures. She's not responsible for the dollars and cents, but for the big picture. She's questioning the need for overtime in a lot of departments. There is another thing that this person could attach, whether we're being efficient in our manpower across the board, top to bottom. Maybe there is a myriad of savings just right there in one line item.

Councilman Togliatti responded, it sounds like if we're hiring this person, we have a person retiring in four years that we don't have to replace. That's not being efficient in our manpower.

Councilman Riley asked, John Veres made the comment that he has somebody who closes out but I understand that other people in your department don't know how to close out, only she does?

Finance Director Veres replied, correct.

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Councilman Riley responded, not to sound mean, but I believe in cross-training. In every department someone should know how to do the other person's job. What if she's struck by lightning tomorrow?

Mayor Kurtz replied, they don't have a lot of depth in the finance department.

Finance Director Veres responded, there are two people that know payroll, two people who know how to input payables, two people who know how to input purchase orders. Carol has never been receptive to, and other people have never had the time to be honest, to go down there and learn how to close the month.

Councilman Riley replied, but I think that's important.

Finance Director Veres replied, I know it is.

Mayor Kurtz commented, all this is about changing how we go into business.

Councilman Riley replied, I think that definitely needs to be changed.

Mayor Kurtz commented, if we stay in the same mindset, everything is okay and we're just going to add more layers, you're wrong. We're changing how we're going into business. The volumes of work to get done and opportunities to be managed is growing as we speak. Everyday Ron and I get more. Everyday there is some other issue out there, lots of issues and I'm not talking about departmental issues. There is an opportunity to manage here is what I'm suggesting. It's the bigger picture. I ask you to stretch out and look to the future.

Vice Mayor Blaze commented, I just printed this out, United Way of Greater Cleveland research analyst is the job title – *full time opportunity for someone with excellent analytical skills to research, write summaries and classify social service agencies in database, excellent grammar, analytical and communication skills required, proficient in Windows and internet search. A Bachelor's Degree strongly preferred.* This is for a full time research analyst for a nonprofit. Other organizations see the value of having somebody who can research and analyze things. And to allow our top level people to function at a top level instead of forcing them down the chain of command doing things that they're overqualified to do. They should be contributing at a much higher level. So we need somebody. I feel the position could more than pay for itself in what those high dollar costs are to hire someone.

Councilman Grendel asked, will this person eventually transition what Carol is doing?

Finance Director Veres replied, if not totally, it would at least give us backup. I can envision Maggie someday helping with that task, but she can't right now. She's our payroll person.

Councilman Riley asked, we have a payroll company and we have two people in payroll?

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Finance Director Veres replied, we don't have two people. We have two part-timers. One comes in every other week to help process the payroll. We've reduced the inputting need with the systems that are in place now – the clocking in and out.

Councilman Riley asked, do all cities have payroll companies?

Councilman Crooks replied, some do it in-house.

Councilman Riley asked, did we go to ADP to save money? Was that the original idea and maybe we're not?

Finance Director Veres replied, no. When I first started there was a full timer and a part-timer. Now we have two part-timers – really a part-timer and a half. Renee is only here two days every other week. I have definitely implemented systems that save the City money. With the purchase order processing we have reduced the number of purchase orders that are generated since I've been here even though our spending has gone up – less paperwork. We ended up getting our money back with the current software system with regard to purchase orders. It didn't work. But we want to go to that next level of reducing. This offers department heads to call us and ask how much money is left in a certain line. With the new software program they can just look on their computer. That's what we want to get to.

Councilman Riley stated, Councilman Togliatti's point is with \$90,000 for a computer software program, do we know it it's going to work?

Councilman Crooks asked, do we have to buy it just because it's budgeted?

Finance Director Veres replied, no.

Councilman Riley asked, are other cities using this software? I don't want it to be like the previous purchase order program.

Finance Director Veres replied, Jim Gibbs researched four different programs.

Councilman Riley asked, for \$90,000 is it going to work for everyone? Is there input from other departments so that we get a system that does work?

Finance Director Veres replied, right. We're not just going to buy a system because it has a nice price tag. We can limp along with our current system for another year if we don't find one. Brecksville just implemented a new system and they're in their first year. I would like to go sit and watch and see the reports that are generated and talk to the other department heads and see how it has benefitted them. Theirs was around \$150,000 or more.

Jim Gibbs responded, between \$120,000 and \$150,000.

Councilman Riley stated, any computer software company is going to tell you what it can do, but you have to go see what it can't do.

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Finance Director Veres commented, there were two salesmen in here who wouldn't give me names of any of their clients so I could see how it was performing. I told them to forget it because I'm not going to just buy something without seeing how it performs.

Mayor Kurtz stated, if the issue is the level range, I don't care if we lower it a level if that will raise someone's comfort level. I don't look at spending \$75,000 for this person. I can tell you that much.

Councilman Riley asked, is there a way in City government to put in an incentive? I've seen it in the private sector. If you save a company \$1 million, you get a percentage.

Mayor Kurtz replied, there isn't enough time to discuss that tonight. Fred talked about that and I talked about that in the past.

Councilman Riley asked, can we legally do that?

Law Director O'Brien replied, we've looked at it.

Finance Director Veres added, it becomes a labor issue with the unions.

Councilman Togliatti stated, the issue I have with the position isn't the dollar amount. It's the necessity, especially with the comments I heard today about not replacing a person in four years when they retire.

Finance Director Veres replied, if this position is created now, and Carol left two years from now, she would need to be replaced because there would be no transition period.

Mayor Kurtz asked, so you're saying there's a possibility you wouldn't need to replace her?

Finance Director Veres replied yes. This person would learn and make other people available to learn Carol's tasks.

Councilman Riley asked, so take over her function so when she leaves?

Finance Director Veres replied, it's just a smooth transition instead of hiring somebody two years from now.

Mayor Kurtz added, we'll have backup now too then.

Councilman Togliatti commented the way I look at it, if we're not going to replace her in four years, then why not just start doing her duties? There is a surplus of labor for four years then.

Mayor Kurtz responded, I'm not sure she'll be around for four years.

Councilman Togliatti commented, we're going to hire this person now and we're going to have this other person for four years before she retires.

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Finance Director Veres replied, you're doubling my two year figure.

Councilman Togliatti commented, if we don't need to replace her in this time period between now when we hire this newly created position and this person retires, somebody is going to sit around doing nothing.

Several people speaking at once.

Mayor Kurtz replied, not for the person I need. Not for my use. You're talking about the finance director's time.

Councilman Narduzzi commented, the Mayor gets them for 50% of the time.

Finance Director Veres responded to Councilman Togliatti, that's what I was trying to say. In this first year of transition of the two years, not the four, because I don't think it would be four, there are tasks that aren't being performed now, new tasks with the CAFR, with the 5 Year Capital Improvement Plan, with the labor negotiations, with the implementation of the new software package that along with transitioning and learning those other tasks while that person is still here is not going to be wasted time. And that's only for the time that that person would be in my department.

Councilman Togliatti asked, it's going to take this person a year or two to get up to speed?

Finance Director Veres replied, no. I would say that in that first year other than the CAFR and the audit and preparing work papers for next year's audit and doing the conversion in-house instead of going outside, there might be some time for that person to learn how to close the month as well. But if that person is not here, those tasks are going to be given to an intern or two or an outside consulting firm with no continuity going forward if Carol decides to retire and I need to find a replacement. Does that make sense?

Councilman Togliatti replied, somewhat. I'm still having a difficult time justifying it.

Mayor Kurtz stated, with the administrative side, I said earlier that we have good department heads, but we're going to develop matrixes and look at the analysis of fuel oil consumption, tire utilization, big ticket items for the City to become more efficient. Dave Snyderburn is a great guy, but I'm not going to ask him to run that analysis. If he's doing that, he's not doing what he should be doing out in the field – taking care of customers. So that's just one request for one department and the list goes on and on. And that's only 50% of the time, not to mention John Veres' 50%. There is no question about the need for the administrative side.

Councilman Togliatti asked, so you're using this person 50% of the time as well as the chief administrative officer 100% of the time?

Mayor Kurtz replied, the chief administrative officer is a perfect example of what he said yesterday. There is no question of the administration's need for somebody to do what he was doing plus more. There is no question about it – if we're going to look at the opportunities. If

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you want to stay where we're at, and run business the way we're doing it, then I understand. I'm saying I'm looking big picture, a long-term approach. These are the tools that we need to raise the bar to go forward. The buck is ultimately going to stop here anyway. All I'm going to suggest is that I have no reservation with going forward with these proposals because I believe there is clearly an opportunity to do some good things here and give you better information to make better decisions all year long.

Councilman Crooks asked, would this person in this management analyst role be at the disposal of Council?

Mayor Kurtz replied, I never thought of that, but often times there is a task related situation or a summary needed. I know there have been times when Council has wanted information and asked for an analysis. Someone has to do it. I would make that person available to Council. I see your point and that's another opportunity.

Councilman Grendel asked, do you foresee some of our consultant fees coming down? What we pay for outside consultants used to be a big thing.

Mayor Kurtz replied, realistically, yes, obviously we're not going to pay Don Elewski as much and it shouldn't cost us as much internally with Dave Snyderburn. Our cost is fixed with Dave, but when I say cost, if you look at money cost or time cost. Dave is going to be more efficient time-wise. Don is going to save us some money. Clearly, Don will tell you that.

Councilman Grendel asked, so instead of hiring outside consultants for a lot of these issues we can have our own people right here.

Finance Director Veres replied, you have continuity of culture and learning going forward.

Councilman Togliatti asked, outside of engineering, what kinds of consultants has the City hired in the past few years?

Councilman Grendel replied, we've had a bunch of them in the almost ten years I've been on Council.

Councilman Crooks stated, Hydrosphere.

Councilman Togliatti responded, some of these consultants such as Hydrosphere are very specific in their industry.

Councilman Crooks stated, this person could collect data that could help us make more informed decisions before we had to get into a specialized consultant.

Councilman Riley commented, Hydrosphere went to our service department and ran a lot of data that we already had. They used our information.

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Councilman Crooks added, their door to door surveys could have been done in-house. We've talked about doing other surveys that I think this person could gather data for as well.

I would just like to weigh in here. I can support this position for a couple of reasons and I'd like to respond to a couple of comments that I've heard. We focused a lot of our debate on how this person is going to help out the finance department and I think that is only part of the equation. I think this person can help out the finance department, the administration and we just heard that he's going to be at the disposal of Council. It may not seem like it's a good use of taxpayer dollars from the outset because we're looking at a pay range of \$55,000 to \$75,000 or whatever it is, \$45,000 or whatever, but I can see this person, and again, it's the belief in a different way of approaching the whole scope of municipal work here, I can see this person taking on roles and helping us make decisions that eventually would help us to make decisions that would impact the taxpayers' money in a positive way.

Mayor Kurtz stated, I was on Council for six years and I was mayor for 14 years and I can tell you that I was never asked a question of how I spent this money or that money when it came election time. But as the mayor you are accountable. The buck does stop here. All I'm asking you is to bring this thing full circle, give me more tools to raise the bar, to expect more from our people and this is another tool that I believe not only helps the administration but helps the finance department. If it doesn't work out and we can show it down the road, I'll be the one that says I want to go in a different direction. Until I know, until I can see the benefits, which I believe are going to be immediate, the buck stops at the Mayor's Office. I never received calls when I was a councilman about how much, other than the big picture stuff. I'm asking for these tools. I believe John Veres paints the picture differently, but we're all going in the same direction. We're all trying to come up with the best vehicle with the most efficiency and the right people to do the job, to have backup in case of a situation and to be able to give Council good information and sound logic to make good decisions.

Vice Mayor Blaze asked, are there any questions regarding Resolution 2008-12 regarding the appointment of Bill Zarlenga for the Civil Service Commission?

Councilman Grendel asked, how many years is the appointment?

Mayor Kurtz replied, six years.

There were no objections noted to passing Resolution 2008-12.

Vice Mayor Blaze stated, Resolution 2008-22, the retention of Elewski & Associates for various engineering services for 2008.

Councilman Crooks asked, is this the budget for the whole year, \$189,000?

Mayor Kurtz replied, all this does is authorize ceilings for these areas right now. These are a broad brushstroke for these areas.

Finance Director Veres added, it's hard to determine the impact of the engineering coordinator.

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Mayor Kurtz added, the business of the City is going to have to continue to function.

Finance Director Veres added, and to determine if there is a project down the road that we don't see – Acorn Extension or Oak Tree North or somebody comes before Planning and they need to extend the road. But these are based upon duties that will be coordinated with the engineering coordinator - all miscellaneous duties except to project specific Rockside Right-of-Way East Section.

Councilman Riley asked, isn't the right-of-way done over there? The project is done.

Finance Director Veres replied, I don't know what their office is doing – finalizing filings with the county or?

Engineer Elewski replied, finalizing the roadway information with the county and also with the water quality for the Central Section of Rockside Road which still needs to be done.

Councilman Riley asked, if this new position is approved, does Don go through that engineer?

Finance Director Veres replied, yes.

Mayor Kurtz stated, if I call up Don Elewski what I would do in the future instead of just calling him and telling him that we met with Kucinich's office and we have a meeting on the 25<sup>th</sup> to go over various options relative to emergency upgrades and/or more permanent upgrades to be reviewed at that time in a meeting, right now I would call Don and tell him what I need. If we hire this person, a person to help coordinate, Dave Snyderburn would bring in his information on what he's done in Commerce Park Oval. In the future we would have a person to say here is what we're putting together. We have this meeting. You have Don Elewski as a resource, you have Dave Snyderburn or whoever else you need, but you keep track of what we're doing so that when it all comes together and a bill comes in from Don Elewski, he can say then what Don was used for, checks it off, I look at it, if I have any questions I call him, I check it off, it goes to the finance director and the bill is paid.

Finance Director Veres added, these are just estimates of work performed over the \$7,500 limit.

Mayor Kurtz added, we don't really know because these change on a dime in terms of the need for storm or sanitary, Planning Commission. If somebody comes into Planning, we have a lot of work to do. Someone has to do the work. That new position would coordinate our administrative needs as well as our consultant needs. Then we'd have someone who he's accountable to rather than him coming to the Mayor or finance director and asking them to sign off.

Councilman Riley asked, this new engineer would also be doing some of the work also?

Mayor Kurtz replied, whatever work can be done by that person will be done by that person. Whatever work needs assistance, that's why we have these consulting contracts. In the past we didn't have a vehicle. If Dave Snyderburn, Don Elewski, the Mayor and everybody got together

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and were putting something together, who was watching who? That's one of the issues we had relative to Mapleshade. There was nobody keeping track of everything. Don Elewski is saying turn left. The contractor is turning right. Dave Snyderburn is saying go over the hill. So the bottom line is, when John Veres gets the bill and wants to know who approved this, I wasn't out there. Fred wasn't out there.

Councilman Riley asked Finance Director Veres how much Elewski has billed so far this year.

Finance Director Veres replied, we have received an invoice in January where we paid around \$30,000. Then we just received an invoice that will be paid in February for around \$24,000, so a total of around \$54,000 so far this year, but that's without this position in place to do some of those tasks that we were billed for in those two invoices.

Councilman Riley asked, so by approximately April the invoices should be going down?

Finance Director Veres replied, yes, unless there's a large project.

Councilman Riley responded, but with a major project the money comes out of that project, correct?

Mayor Kurtz replied, it still increases the cost of our engineering.

Councilman Riley asked, but it would not be under this?

Finance Director Veres replied, no, for example, if we decided to do Selig, we would have to amend this resolution authorizing the engineer to do Selig.

Law Director O'Brien commented, your in-house engineer will say I can handle this or I can handle that, but I need this, this and this.

Councilman Riley stated, there is engineering lumped into the entire road project.

Mayor Kurtz responded, it was lumped into an authorization for the projects.

Finance Director Veres added, it would be authorized through a resolution if there was a specific project.

There were no objections noted to passing Resolution 2008-22.

Vice Mayor Blaze stated, Resolution 2008-23, Council Rules.

Councilman Klepacz stated, the issue was the manner in which this was changed. I'm happy that it has been changed back.

There were no objections noted to passing Resolution 2008-23.

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Vice Mayor Blaze stated, Resolution 2008-24, the purchase of computer equipment for general government purposes for \$31,100.

Jim Gibbs stated, these servers will be the entire base for every server that we currently have. They will be replacing our entire environment and running all of the projects currently running and also the forecasted projects for this year and the coming three to five years. We increase the ability and the capacity while decreasing our footprint and the total exposure of hardware failure and warrantied equipment.

Councilman Riley asked, do you run a backup on all of our stuff and where is it stored at?

Jim Gibbs replied, we have a couple tiers of backup. One of the servers we've purchased is going to free up the hardware I need to create the hot site in the police department that will be a constant backup of what we have running today.

Councilman Riley asked, so we'd be safe if something happened?

Jim Gibbs replied, correct.

There were no objections noted to passing Resolution 2008-24.

Councilman Riley asked why Resolution 2008-25 was pulled off the agenda.

Jim Gibbs replied, it was discussed in the meeting this morning and we decided to reevaluate its purpose to possibly provide for not only Tech Services but for the Service Department as well. We're going to take a look at that program to make sure that whatever we take on has a broader scope.

Vice Mayor Blaze stated, Resolution 2008-26, computer software and equipment for the building department. We had approved a dollar amount for a scanner for the building department and then through Jim Gibbs' efforts and Carl's efforts they worked with the software vendor to actually get the present scanner up to capabilities to do what Carl was originally going to buy a new scanner for, therefore, eliminating the need. We're going to transfer the funds from that need in the building department to a storage device and a GPS that Carl Opatrny really feels would upgrade the ability of his department to track properties and buildings and also allows transfer of information from paper to electronic medium. This should help with the couple thousand different properties in Independence that needs to be tracked, logged and identified.

Councilman Klepacz asked, so we can put them all on the GPS, every house?

Jim Gibbs replied, actually, we have that now. This is going to be more useful in change management. You can do locations of fire hydrants, new roads etc. What would have taken Carl six to eight weeks to do can now be done in a week to two weeks. You walk the curb line and the information is in there.

Councilman Riley asked, can you put in this device where residential sewer cleanouts are?

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Jim Gibbs replied it could be done. You don't want to dig with this level of GPS. I believe there is one meter accuracy. To get any lower than that, the price increases exponentially.

Councilman Riley asked, so if Dave Snyderburn's crew goes out and eventually locates a cleanout for somebody, somewhere, then you enter that into this device and put in the measurements?

Jim Gibbs replied, you would actually go to that spot with the GPS and mark that. You would know within one meter of that area if that's where it is.

Councilman Riley replied, that would be great if we went out and did that on new construction.

Jim Gibbs responded, again, I warn you that one meter is a big deal when you work with gas lines.

There were no objections noted to passing Resolution 2008-26.

Vice Mayor Blaze stated, Resolution 2008-27 is supporting the Health and Human Services levy.

Councilman Crooks asked, for issues like this do we want all of Council to put their names on it, unless some strongly opposes it?

Mayor Kurtz replied, you're more than welcome to.

Vice Mayor Blaze replied, I might abstain. When I read it and I read that it was being reduced from 4.9 mills to 4.8 mills I thought it was actually a minor tax decrease. But then I was just informed this morning that because it is a replacement even though the millage is reduced it could very well be a tax increase. I didn't have time to call Cuyahoga County to verify that today. I don't want to put my name on a resolution affirmatively telling our residents that we support this if it's not clear within the contents of it that it actually is a tax increase. If it is, it is. That's great and I support it, but I don't think this is clear on what it actually does.

Councilman Crooks asked does anybody know that? I read it as a reduction.

Law Director O'Brien commented, when I read this I assumed that the 4.9 was about to expire and they were replacing it with a 4.8. If one is not renewed, then you wouldn't have that expenditure.

Mayor Kurtz stated, you can always look at the big picture and say if I don't pass it, it reduces taxes.

Vice Mayor Blaze responded, I'm not saying I'm against it. I'm saying that we're basically endorsing it by passing it and I think the wording in there is a little misleading. People think it's a reduction when actually it could very well be an increase. I think it needs to be clearer.

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Councilmen Klepacz, Grendel, Narduzzi and Togliatti asked that their names be placed on the resolution as introducers.

Vice Mayor Blaze stated, if you replace it at less millage it's actually going to cost more.

Mayor Kurtz added, it's based on your tax duplicate when it was enacted. I'm not sure it was four years ago or eight years ago or when it was.

Vice Mayor Blaze stated, Resolution 2008-28 is a standard water easement from Independence Suites.

Engineer Elewski commented, we need additional room over there because of the way the topography is in that area. They're putting a waterline in.

Vice Mayor Blaze stated, next is Resolution 2008-29 for Walter Drane for updating the Codified Ordinances for \$7,800.

Councilman Riley asked, does this always have to be done by an outside source?

Law Director O'Brien replied, it's more economical to have someone do it. They probably handle every single municipality if you look on their website.

Vice Mayor Blaze stated, Resolution 2008-30 is Change Order 8 for Anthony Allega for approximately \$15,300 for work at the cemetery.

Engineer Elewski replied, right.

Vice Mayor Blaze stated, the contractor did the work and no change to the appropriation is needed. Are there any concerns with this?

Councilman Riley replied, John Veres' review says it's a result of our engineer deciding on his own to have them tear out a previously existing roadbed that had been judged to be sufficient.

I called the contractor and asked him about this and he said that the engineer's measurements were a foot off, a foot below?

Engineer Elewski replied, we were told that the sub base in that roadway was good. When they got into it they found all kinds of crap under there.

Finance Director Veres asked, did we do any testing to support that?

Engineer Elewski replied, you didn't need testing. You could see it.

Finance Director Veres responded, we had a lot of people saying that road was sufficient. The Cavs used it as their construction road. Dalad Group used it to put a gas well in – 18 inches of good sub base.

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Engineer Elewski replied, we took pictures when it was excavated.

Councilman Riley responded, it still would have been a foot lower until this contractor shot his own elevations. Then you guys used those elevations.

Ron White confirmed that the original elevation was a foot lower.

Councilman Riley stated, if there was a mistake made, why should we pay for it?

Engineer Elewski replied, there was no mistake. It was a decision on whether you wanted the land in the old cemetery to line up with the land in the new cemetery. We had it with drop down for drainage to go into a drainage ditch. The drainage ditch was eliminated and drain tile was put in.

Councilman Riley replied, this contractor mentioned that there were drawings with a three foot swale that people would have had to walk through from the drive into the cemetery.

Engineer Elewski responded, if you walked from the old cemetery to the new cemetery, yes.

Councilman Riley stated, so when they got out of their car they had to step into the swale.

Engineer Elewski replied, no. The driveway is 24 feet wide. The person could get out of the car and walk.

Finance Director Veres responded, it's wide so you could fit two cars side by side. You're still going to have to get out and walk on the grass.

Engineer Elewski responded, the drainage for the roadway was figured with swales. In order to get the swales in we were down lower than the cemetery next door. Mayor Ramos, the previous mayor, said that he wanted it even with the cemetery next door.

Councilman Riley stated, I won't vote no on this but I'm going to abstain because this happened when I wasn't on Council.

Councilman Narduzzi commented, I'm on the same wavelength as Councilman Riley. If this is something that we didn't do, and we hired Elewski & Associates to do this, and there is a mistake made, why should we be coughing up the money?

Director Snyderburn replied, I don't think there's a question of a mistake. There's a question of what grade did you want it at?

Councilman Narduzzi asked, who set that?

Director Snyderburn replied, the engineer sets the grade he thinks it should be at. We tried it. If you don't want a swale there, then you raise the grade. The reason I was concerned about the swale was you have a line of mature trees there and in order to cut the swale in you're going to

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dig into the roots of every one of them and the trees are going to die. Drainage went to Route 21 and also the rear of the property.

Finance Director Veres commented, it sounds like a mistake to me.

Mayor Kurtz responded, we could debate this all night long but it's not the contractor's fault.

Several people speaking at once.

Councilman Riley stated, that's why I called the contractor.

Mayor Kurtz replied, we have to pay the bill. The point is that we will argue the project at Public Lands & Buildings or Executive Session. We can do it any way you want but it's not relative to this.

Vice Mayor Blaze commented, but their point might be that maybe we shouldn't be paying the contractor. They did it but it+ shouldn't come from us.

Mayor Kurtz commented, I don't know if you're going to change the system overnight. The fact is that the work was performed. If it was your money and you didn't do anything wrong, you'd want to get paid your money. Then we can argue. I think we're already taking steps on how to go forward anyway. If you want to talk about the specifics, we should do that in Executive Session because it's a potential legal matter. I have no problem doing that after the meeting.

Engineer Elewski commented, the drainage was set up with swales because it was the cheapest way to go. When they decided they wanted to keep the land level with the old cemetery we eliminated the swales and we had to put in pipe, which is more expensive than swales.

Councilman Riley asked, why would you originally design swales?

Engineer Elewski replied, it was cheaper.

Councilman Riley replied, we don't do things cheap in this City. I've never heard cheap mentioned, even less costly. We do things the best.

Finance Director Veres asked how many trees would have been killed?

Director Snyderburn replied, there are maybe a dozen trees.

Engineer Elewski commented, you're making an assumption that they'd die.

Director Snyderburn responded, I'm not saying that Don is wrong.

Mayor Kurtz commented, I have no problem going into Executive Session and discussing the issue after the meeting if you want to.

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Councilman Riley responded that's my issue. I don't want to see the contractor get penalized but if there was a mistake made then I think we need to deal with that.

Mayor Kurtz replied, we'll go into Executive Session after the meeting then.

Finance Director Veres asked, do we have the certificates to pay this?

Mayor Kurtz replied, I'm assuming it was forwarded to your office.

Finance Director Veres replied, I haven't seen it yet.

Mayor Kurtz responded, I know it was approved. I saw it.

Vice Mayor Blaze stated, so we'll talk about this in Executive Session following the meeting for potential follow up actions.

Vice Mayor Blaze stated, Resolution 2008-31 is a change order for Three-Z for yard waste. Is this for shredding of the mulch?

Director Snyderburn replied, for \$15,000 we didn't have enough money in the contract to shred what we had. One reason is that we have more yard waste debris every year, each year than we have in the past. We're creating more and more mulch. I have to grind it. I can't just leave it. Bob Zurcher from Three-Z was kind enough to do it for us last year. Per the contract, he just did the whole pile last year for us. He can't keep doing it. He's losing money on it. Part of this change order is to grind the rest of the pile and then bring a better product to the residents of Independence. A lot of people like it for compost. Obviously we're giving it to them for free but we want to provide them with good mulch but they would like a little finer product.

Councilman Riley asked, can we grind it again?

Mayor Kurtz replied, we're going to demo it and see how it looks.

Councilman Narduzzi asked, that's what this \$15,000 is for?

Mayor Kurtz replied, to finish grinding and whatever is left we can grind again.

Councilman Togliatti asked, did we consume all the mulch that we produced last year?

Director Snyderburn replied, we sold a lot of the mulch that we had last year. We got our money back out of it. We used half of it and sold half of it. We'll have mulch left.

Councilman Togliatti asked, who did we sell it to?

Director Snyderburn replied, a company out of Sagamore. They're the only ones that were interested in it.

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Councilman Togliatti asked, do we create more mulch each year than we consume?

Director Snyderburn replied, right now we are. If we make a better product, we might be able to get rid of all the mulch that we make. I don't know that for sure.

Councilman Riley asked, are you allowed to sell that?

Finance Director Veres replied, it was on a resolution.

Councilman Togliatti asked, how much did we generate from that?

Director Snyderburn replied, \$15,000.

Mayor Kurtz replied, I never saw a resolution for that.

Law Director O'Brien responded, I don't remember ever seeing a resolution.

Finance Director Veres responded, we did something with the Law Department when we sold it. Somebody drew up a contract from your office.

Councilman Riley stated, I thought any City asset, wouldn't you have to action that?

Mayor Kurtz replied we didn't. I don't think Council ever approved anything.

Councilman Riley stated, before we do that this year I would look into that.

Finance Director Veres replied, we definitely looked into the legalities of selling it.

Law Director O'Brien replied, in all fairness, I think it was after the fact.

Mayor Kurtz stated, if we sell something, I'll be back to Council to approve it.

Councilman Togliatti stated, I looked into what we've been paying and in 2006 we paid \$10,000 to Three-Z and it sounds like we made more than we needed. In 2007 we paid them \$15,000 and made more than we needed. This year, we're going to pay them \$30,000.

Mayor Kurtz replied, we have no choice but to grind the material.

Councilman Togliatti asked, doesn't Kurtz Bros. take yard waste material from municipalities?

Councilman Narduzzi replied, we're going to pay to dump it.

Mayor Kurtz replied, you can pay to dump it if you want.

Councilman Togliatti asked, how much would it cost us to just dispose of this yard waste material?

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Mayor Kurtz replied, there are two costs involved – the cost to dispose and your cost of transportation and you can't use Kurtz Bros.

Councilman Togliatti asked, what about Boyas?

Mayor Kurtz replied, it would cost more to transport it and it would cost us to dump it too.

Councilman Togliatti responded, but we're tripling our budget on mulch in three years. We spent \$10,000 in 2006. Looking at it rationally, it makes sense to maybe grind less at a higher quality and pay less?

Mayor Kurtz replied, we have to grind which is one cost. Anytime you grind again you're doubling your cost because you have to run it through the same process. So it's going to cost us more to grind but if the product looks better, our customers will be happier and I'll try and go out and sell the rest if there is more than our customers want.

Councilman Narduzzi asked, how much mulch do we buy?

Mayor Kurtz replied, we buy a different kind of product. This is just yard waste mulch. What we buy is a pure wood mulch. There is a difference between the two.

This year we're going to try and regrind and see if the product quality is enhanced significantly. So half the money is to finish grinding what we have to grind. We have to grind based on our permit to have our own compost pile. We have to grind that material. We can't just leave it on site. We'll have an EPA problem if we do that.

Councilman Togliatti asked, do you have any idea what the expenses would be if we were to truck it to Boyas?

Mayor Kurtz replied, they're probably going to charge between \$3 to \$5 per yard. What do they charge us for our seven yard containers when we take them there?

Director Snyderburn replied it depends. A 10-yarder can cost you \$200. That's \$20 per yard if it's a stump.

Mayor Kurtz commented, it could be \$5.00.

Councilman Togliatti responded, I'm just questioning the \$10,000 in 2006 to \$30,000 in 2008.

Mayor Kurtz replied the \$10,000 is why we're in trouble. We didn't do enough and we had to get it ground so we tried to make up for some of it last year with \$15,000. The leftover that we sold we ground. We have to grind all our yard waste in order to be in compliance.

Several people speaking at once.

Councilman Narduzzi commented, the more we get the more it costs.

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Mayor Kurtz stated, if we have excess material, we're going to put something together and come back to Council to say we can make some money by selling it, recycling it – not to our customers but to somebody else. But it would have to be approved by Council.

Councilman Riley asked Law Director O'Brien to follow up on the sale of mulch in 2007.

Law Director O'Brien responded, sure.

Councilman Togliatti asked, can we just leave this on first reading until we find out what happened to the old mulch and if we did profit from the sale of it and how that was handled?

Mayor Kurtz replied, that's not going to affect us for this year. We have equipment sitting down there waiting to finish.

Councilman Togliatti replied, but we, as Council, don't fully understand what is happening to this material.

Mayor Kurtz replied, I can tell you what is going to happen with this material. First of all, we have to grind it with our yard waste permit. We're going to try and regrind some of it to see if it's a better quality for our residents. If in fact it's not, then I'm going to try and sell it. That's when I'll be back to Council for approval. I don't remember voting on it last year.

Councilman Togliatti responded, right and I think that Council is kind of perplexed by that.

Finance Director Veres stated, but the Mayor is saying that if we don't grind it, we have to dump it.

Mayor Kurtz replied, yes. We have to take it to the dump.

Councilman Togliatti responded, we can leave it sitting there for another month and grind it after we approve it next month, correct?

Mayor Kurtz replied, we can take a chance if you want to do that. If the inspector comes, he's going to ask why we're not grinding our yard waste.

Councilman Togliatti asked, do we have the grinder there all year long?

Mayor Kurtz replied, no. We grind it until we finish. We're not producing yard waste this time of the year. That pile was generated all last year. When the weather changed and we were done picking up leaves we were done. We won't get anymore material in until spring cleaning.

Councilman Togliatti asked, so it has been sitting for a few months? If it sits for another month, it really doesn't matter?

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Mayor Kurtz replied, unless he asks for more money to mobilize his equipment again because we ask him to hold off. His equipment is sitting there. We asked him not to move it until we get approval from Council to finish it up.

Councilman Togliatti asked, so it has been sitting there all winter?

Mayor Kurtz replied, no, for the last couple of weeks.

Councilman Togliatti asked, so we've been grinding?

Director Snyderburn replied, yes.

Mayor Kurtz added if you go down there, you'll see a big pile of material.

Several people speaking at once.

Mayor Kurtz stated, yard waste isn't coming in this time of year. It's spring to when we're through picking up leaves. Then we're done until we get it ground and then in the spring we give it to the residents. We'll check out about the sale of the mulch last year. In fact we determine we have excess material, we will check the market. We'll bring it to Council and Council has to approve it. If it's over \$500, Council has to approve it. That's what the procedure will be.

Director Snyderburn commented, it's not worth anything sitting there. If we grind it, it's worth some money. I would really like to get the rest of the pile ground.

Councilman Togliatti responded, what we're spending is a large increase.

Mayor Kurtz replied, that doesn't mean we're going to spend it all. That's what is being appropriated. If we get done and we don't need it all, it's just like any other line item in our budget. You're giving us a maximum to spend. This is Director Snyderburn's best guesstimate of what we're going to need. If we grind for \$7,500 and then \$7,500 to regrind, if it doesn't work out after we start to regrind and we don't have a better quality product, then we'll stop and won't spend all the money. But we don't know that with most of these items until we get into it.

Vice Mayor Blaze stated, to continue, Resolution 2008-32 is the turnout gear for the fire department which is 95% reimbursable. Does anybody have a problem with us spending 5% of the \$10,000?

There were no objections noted to passing Resolution 2008-32.

Resolution 2008-34 and 2008-35 were the result of the phone polls for the cars for Community Services. We just have to memorialize those since everyone gave their approval.

Resolution 2008-33 is the purchase of the Ford 550 is a purchase of cab and chassis for the Service Department.

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Resolution 2008-36 is the purchase of a F250 pickup.

Mayor Kurtz commented, all those were approved through capital.

Vice Mayor Blaze stated, Resolution 2008-37 is the purchase of a Ford Escape SUV Hybrid for the building department and Resolution 2008-38 is a Ford E350 Cargo Van for Rec to replace their old one.

All of these were in the capital budget. Does anybody have any questions, comments or concerns on these?

There were none noted.

Councilman Narduzzi asked, the old mayor's car went to the fire chief?

Mayor Kurtz replied, yes.

Councilman Crooks asked Director Snyderburn, as far as the tree trimming ordinance, it says that *the service director or his designee shall determine in his sole discretion and upon request from the property owner, whether a tree is diseased, damaged, dead,*. How often are the trees that you take down do they not fall into diseased, damaged or dead? That seems to be a big issue.

Director Snyderburn replied, we talked about it last time. There are trees that damage the property, including roots getting into sewer lines or caving in basement walls. If a tree is close enough to the house, it could be a nice live tree but the roots might be causing a problem with walls or sewers. Have I turned people down? Yes, I have turned them down because I say it doesn't fall under the criteria. If you're asking if I've taken down live trees close to the house, they were good trees and weren't diseased or dead, yes, I've taken those trees down too. They're either getting in people's sewers or pushing basement walls in. There's one right now on Vineyard. A tree pushed the basement wall in.

Councilman Crooks asked, did you ever take a perfectly healthy live tree down for no reason other than it was an inconvenience?

Director Snyderburn replied, no. The only perfectly healthy tree I've taken down is where an addition was going up. We worked an agreement out with them to bear more of the cost than the City.

We're trying to tighten it up and I'm cognizant of that.

Councilman Crooks asked, should we take out this language all together? Should we take out *or for some other reason poses a threat to the safety to person or property*?

Vice Mayor Blaze commented, I believe that the ordinance was expanded from diseased, damaged or dead. I think now we're giving the authority to expand beyond that. Since we

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already exceed it, now that we've given the okay I think it's going to go to any tree. Property means land.

Director Snyderburn responded, I've taken trees that were deemed dangerous down. That's why I commented in the past on dangerous trees. I'll do whatever you want me to do. You tell me what you want to put in there.

Vice Mayor Blaze replied, I think we have enough votes to pass it and there is no reason to belabor it at this point. It's pure and simply for us to come on private property and cut trees down.

**COUNCIL MEETING:**

Mayor Gregory Kurtz called the meeting to order at 7:23 p.m. Present were Council Members Vern Blaze, Jim Crooks, Dave Grendel, George Klepacz, Tom Narduzzi, Jim Riley and Anthony Togliatti. Also present were Finance Director John M. Veres, Law Director Greg O'Brien, Engineer Don Elewski, Community Services Director Natalie Buc, Technical Services Director Tom Avsec, Service Director Dave Snyderburn, Recreation Director Ed Kostyack, Building Commissioner Carl Opatrny, Fire Chief Peter Nelson and Police Chief John Nicastro.

Reverend Leroy A. Ford from the Presbyterian Church said the prayer.

The Pledge of Allegiance followed.

**APPROVAL OF MINUTES:**

**Moved by Blaze, seconded by Grendel, to approve the minutes of the Planning Session of December 1, 2007. Council polled: 7 yes/0 no; motion carried.**

**Moved by Blaze, seconded by Grendel, to approve the minutes of the December 11, 2007 Public Hearing. Council polled: 4 yes/0 no/3 abstain (Narduzzi, Riley, Togliatti); motion carried.**

**Moved by Grendel, seconded by Crooks, to approve the minutes of the December 11, 2007 Regular Council Meeting. Council polled: 4 yes/0 no/3 abstain (Narduzzi, Riley, Togliatti); motion carried.**

**Moved by Riley, seconded by Grendel, to approve the minutes of the January 2, 2008 Organizational Meeting. Council polled: 7 yes/0 no; motion carried.**

**Moved by Riley, seconded by Crooks, to approve the minutes of the January 8, 2008 Regular Council Meeting. Council polled: 5 yes/0 no/2 abstain (Grendel, Togliatti); motion carried.**

**Moved by Klepacz, seconded by Riley, to approve the minutes of the January 29, 2008 Council Workshop. Council polled: 6 yes/0 no/1 abstain (Grendel); motion carried.**

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**AUDIENCE PARTICIPATION:**

Mayor Kurtz introduced Valerie from the Independence Library. If anyone needs any help, she'll help out. It's nice to have someone with so much energy, enthusiasm and commitment as our neighbor at the Civic Center.

Valerie responded, the Library is very interested in also serving the business community in the Rockside Road corridor. We do market research at no charge. We encourage them to stop in.

**MAYOR'S REPORT:**

Mayor Kurtz stated, on tonight's agenda Council is going to consider Ordinance 2008-02, which I believe will go a long way in creating a more efficient, accountable and effective government for our residents, as well as for our business community. I urge Council to adopt this legislation.

Essentially, Ordinance 2008-02 does three things. One, it makes the economic development director's position, currently part-time, a full time position. Two, it elevates the roll of the executive assistant to the mayor from a part-time position to a full time city administrator. Three, it elevates the position of human resource coordinator to that of a director.

As I've already mentioned, the goal behind this legislation is efficiency, accountability and increased effectiveness, and I would appreciate Council's consideration of this ordinance.

**OFFICIALS' REPORTS:**

**ENGINEER:**

Engineer Elewski report, we're assembling information that was requested with regard to the flooding that took place last week.

**FINANCE DIRECTOR:**

Finance Director Veres reported, on the agenda tonight is Ordinance 2008-08, a small amendment to the Appropriation. The main change is increasing the FEMA revenue estimated resources. Kudos to Chief Nelson for obtaining that award.

**SERVICE DIRECTOR:**

Service Director Snyderburn reported that the senior snowplow drivers were called out at 4 p.m. today. We try and wait until the snow is over with to call them out. It is a substantial expense of approximately \$9,000 every time they're called out. I am very sensitive to the seniors along with the Mayor and Council. We really want to take care of them because they need to get to appointments. We called them out because of the rain. It's really tough to do the driveways after it ices up.

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We are exploring a new way of doing garbage pickup. I'll have more information for Council and our residents.

**COMMUNITY SERVICES DIRECTOR:**

Director Buc reported, this Monday is our first Senior Supper Club in the new year. We are getting ready for Tropical Beach Blast which will be held February 24<sup>th</sup> between noon and 4 p.m. We'll have all kinds of activities for everyone.

We have a new-used baby grand piano at the Civic Center. It was donated to us by a nursing home that was closing. The Tech Department refurbished it and made it look like brand new. We want to thank them, especially Paul Kershner, for doing that work for us.

**RECREATION DIRECTOR:**

Director Kostyack reported, we purchased seven spinning bikes at the Civic Center and we're beginning cycling classes. We have three classes right now which are full. If you need further information, call the front desk at the Civic Center.

Friday night activities for youth ages ten to fifteen is in full swing. We have a lot of programs for them to join.

Our tumbling classes began last Saturday. We are taking Youth League baseball and softball registrations for the youth of Independence until April 15, 2008.

**TECHNICAL SERVICES DIRECTOR:**

Director Avsec stated, as you walked in you probably noticed there's a good amount of snow. The snowmelt system in the courtyard is working well so we can keep salt and calcium chloride off the new courtyard concrete which will add significant life to it.

We're working on the relocation of the radio equipment from the City Hall tower to the cell tower located near the service department. Engineers at Crown Castle are doing an analysis. We're still waiting on a couple of items. Once we get approval we'll move forward with that project.

We're also looking into adding signage to the entrance to the Independence Field House. We have some designs and once we get approval we'll move forward with that.

Councilman Grendel asked about the location of the sign.

Mayor Kurtz replied, we're focusing the signage on the access road and parking lot.

As far as something on the west side of the building, we're looking at several options. Several gentlemen approached the City and asked us to look at different options for that side of the

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building. We're going to take everything under consideration and at the appropriate time will bring it to Council or the Public Lands & Buildings Committee.

**BUILDING COMMISSIONER:**

Commissioner Opatrny reported that a new sign was approved for the old Goodyear sign which will consist of two car dealerships. One of the conditions for the approval was that it be constructed from heavier fabric and additional reinforcement to prevent the tearing that occurred with the last sign.

We had one new residential permit for a new house in Lake Charles.

Commercially, the dialysis center progress has been slow. Work continues and we anticipate that it will probably open within the next 90 days.

**FIRE CHIEF:**

Chief Nelson stated, I'd like to congratulate one of our firefighters, Ryan Dailey. He received a burn prevention award from the Al Koran Shriner's Association. Ryan has been a mentor to a burn victim for almost two years now. He has done some fabulous work for which they recognized him with this special award.

Daylight Savings Time is March 9<sup>th</sup>. Move your clocks forward. We ask you to also check your smoke detector batteries.

**POLICE CHIEF:**

Chief Nicastro stated, I would like to thank our volunteers. They helped us during the flooding last week. Commerce Park in the Rockside area was flooded. They helped employees from those businesses travel safely up and down the cemetery road.

Deer archery season has finally come to an end. It ran between September 29<sup>th</sup> and February 3<sup>rd</sup>. The police department issued 167 individual hunting permits. It encompassed 109 parcels/combined parcels in Independence which were fairly well spread out from the south to north end of town. There were 61 permits issued to residents and 106 permits were issued to nonresidents who were invited to hunt by the property owners.

We received reports back from all but 13 hunters in order to get a deer total. So far we've accounted for 150 deer that were harvested – 44 bucks and 106 does. Those numbers don't include deer that were wounded but not recovered.

There were no reports of accidents or injuries to people or serious safety issues that came to light. We did have some complaints from residents who saw wounded deer or hunters crossing their property without permission.

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We'll put together a more comprehensive report for our next Safety Committee Meeting. Both our suggestions as well as residents suggestions will also be discussed.

Councilman Riley asked Chief Nicastro to also provide the number of deer/car accidents reported in the City.

**STANDING COMMITTEE REPORTS:**

**COMMUNITY SERVICES – (TOGLIATTI):**

Councilman Togliatti reported on the Cuyahoga Valley Regional Council of Governments. I am appointed as the City's representative to this organization and attended my first meeting on Wednesday, January 23<sup>rd</sup>. This organization is comprised of 29 cities, villages, townships and school districts located within the region surrounding the Cuyahoga Valley from Cleveland to Akron. The organization is focused on addressing issues such as storm water, deer management and economic development that may affect any and all communities within the Cuyahoga Valley. An annual meeting of the Council of Governments will be held on Friday, February 29<sup>th</sup> at the CVCC.

We have before us tonight some ordinances that would create new positions in City Hall. Ordinance 2008-15 is the creation of a Management Analyst position under the supervision of the finance department. This new position will be responsible for assisting the finance department and analyzing some of the City processes such as the garbage pickup program, salt spreading and snow plowing.

I do realize that the finance department currently has a large workload. The City is preparing a Comprehensive Annual Financial Report for the first time. This report is very extensive and will be very time consuming to compile. However, once the initial compilation of data is complete, this report will demand much less time to update on a yearly basis. The City is also conducting labor negotiations, which occur every three years. The finance department must spend time gathering data for these negotiations. However, these negotiations will be complete in a month or two and will not occur again for three years. And, on top of all that, the department is preparing for an audit. All of this work is ongoing as we speak, but will be complete within a few months.

At the same time that we are being asked to approve this new position in the finance department where this person could earn up to \$75,000.00 per year, we also budgeted \$90,000.00 for the purchase of new cutting edge financial management software. This new software is designed to make the finance department much more efficient. The software will be able to process reports and compile data at the push of a button. Such reports currently take hours to generate or are not possible to generate at all. Thus, the \$90,000.00 investment in new software should ease the workload of the current finance department.

Based on my review of the situation in the finance department, I believe that tax dollars would be much better spent hiring a temporary employee immediately to help with the current workload, which should only last a few months.

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Ordinance 2008-02 is the creation of a Chief Administrative Officer position for the City. If we look at Article III, Section 5 of the City Charter it reads, and I quote “The mayor shall be the chief executive officer of the municipality. He shall supervise the administration of the affairs of the municipality, and supervise all the departments and divisions thereof.” I will not be supporting this legislation because I believe that it is creating another layer of bureaucracy in City Hall. The City has functioned quite well and its tax base has increased steadily over the course of the past 50 years with the mayor acting as the Chief Administration Officer. This is a drastic change in the entire organizational structure of the City. It is a position that is entitled to a maximum salary of \$93,000.00 and with uncertain economic conditions and fears of a recession on the horizon, I cannot justify the benefits of another executive level position in City Hall. I feel this money would be much better spent paying down the current City debt or applying it toward one of our much-needed road paving projects.

Finally, I would like to extend my most sincere condolences to Kathleen Kapusta on the loss of her mother.

Mayor Kurtz responded, I just want to make sure that it’s clear that we already have those positions as part-time status. We’ve had the Executive Assistant and Economic Development Director positions for eight years. I want to make it clear that the proposed salary levels that were stated are the highest in a range established by Council. No one would be hired or replaced at the high end of a range.

Councilman Togliatti replied, only one of those positions is part-time.

Mayor Kurtz replied, both of them are part-time to date.

Councilman Klepacz commented, I don’t recall that we have two positions. It’s my understanding that Mr. White is the Executive Assistant and his duties include economic development.

Mayor Kurtz replied, it’s a dual responsibility as was stated in the Council Workshop. Half his time is spent in one position and half in the other.

Councilman Togliatti responded, the management analyst is a newly created position.

**UTILITIES COMMITTEE – (NARDUZZI):**

Councilman Narduzzi stated, reporting on the January Zoning Board of Appeals meeting, the Board granted 2-yard side yard variance for an addition at 6890 Great Oaks Parkway. The Board tabled a variance request for a 75’ radio tower to be located behind a private dwelling at 6511 Elmerge.

I am in the process of putting together an agenda for my first Utilities Committee meeting which will take place in a couple of weeks.

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I would also like to send my condolences to Kathleen Kapusta.

As far as the exempt positions ordinances tonight, I support all of five of the positions. My belief is that we have to think outside the box – where the City has been, where it is right now, and where we’re going. In order to make the City a better place as we move forward into the future, we need tools. This is part of putting tools in our toolbox to advance us to the next plateau. Therefore, I will be supporting these ordinances.

**PUBLIC LANDS AND BUILDINGS – (CROOKS):**

Chairman Crooks reported, the Public Lands & Buildings Committee will be holding our first meeting of this term on Tuesday, February 19<sup>th</sup> at 2 p.m. We will be discussing several important items. The priority among those items is the cemetery issue. We’ve been belaboring this issue since last summer. Director Snyderburn has indicated to our Committee that they are prepared to open the new section once the weather breaks. We want to make sure we’ve done everything on our part so that it can be opened. Specifically, we will be discussing what the price of the new graves will be, who is eligible to purchase graves, opening and closing costs, disinterment fees and the creation of a new cemetery fund. If anyone has input and would like to share that with the Committee, I encourage you to attend. I am also looking forward to the input of the committee members on this issue.

Also on the agenda for that meeting, we will be asking the technical services director to update us on what building projects are currently underway. He gave me a brief update tonight that they are getting ready to begin the new window project over at Historic Hall. We ask that he attend and provide us with an update of what he’s been working on in terms of our public buildings.

We’re inviting some representatives from the coaching community in Independence to speak with them about some of the ball diamonds and how we might improve them.

On the agenda tonight we have two pieces of legislation that I’d like to comment on. The first is Ordinance 2008-02 which is creating the position of City Administrator who will be responsible for overseeing day to day operations of the City. I wholeheartedly believe that creating this position strategically puts us on the path of continued economic success and success in our ability to enhance the quality of life for our residents. The mindset that “things are good, and they should be left alone” does not poise us for competing against other professionally managed communities in Northeast Ohio, some of them being our neighbors.

The City of Independence is not the same community that it was 20 years ago, nor is it the community it was even ten years ago. We have a \$30 million budget and though not a private company but rather a public enterprise. We are in the business of serving people. To do that, we have approximately 150 full time employees and 15 to 18 full time department heads – all of them answering to one executive manager who, per the Charter, is part-time.

As our professional organization has grown to serve the residential and business community to enhance the quality of life, the management of that staff has not grown. By adding one full time administrator who can oversee the daily operations of the community and bring attention to

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matters to the mayor that only he can make decisions on, we can essentially become more effective. The Mayor is consequently then free to meet with residents and businesses to address their concerns, to remain connected with property owners and developers who have helped to transform Independence into an economic hub in Cuyahoga County, to collaborate with federal, state and county governments and manage Mayor's Court, all while the City continues to be managed on a day-to-day basis.

My only addition that I would make to the suggestions that have been presented so far is that this new reorganization be a catalyst for identifying the right group of people who will ultimately work toward developing a City mission statement, vision statement and strategic plan of action.

To compete in the next 10-20 years, we need a professionally managed organization. There are examples in the private sector, public sector and even in the not-for-profit sector. Some may think that things are good right now, but in order to make them better we're going to need to compete for limited resources in our region.

Not passing this legislation leaves opportunities on the table – opportunities, by way of economic development, residential development and long-term strategy that other communities are proving right now that they will not leave on the table.

Finally, I would like to thank Chief Nicastro for bringing to attention the statistics on the deer hunting ordinance that we passed last year. At the time of its passing I made mention of putting this back before the Safety Committee. Although I'm not a member of that Committee, through the Chairman, Mr. Grendel, he has agreed to discuss it at an upcoming Safety Committee Meeting. I look forward to participating in that.

**FINANCE COMMITTEE – (BLAZE):**

Vice Mayor Blaze stated, if I wasn't on Council, wasn't on the Finance Committee and participated in all the budgetary meetings that occurred in the fourth quarter of last year and the first month of this year, if I'd shown up this evening and grabbed one of the agendas off the back seat and saw that there are no less than ten resolutions with the word "purchase" or "payment" in them, and two resolutions approving change orders to various contracts, I would be a little concerned. But rest assured, the ten resolutions where we are purchasing or paying for items are all capital items that were budgeted for in the City's capital budget for 2008. A few of them are software related. We're continuing to upgrade our computer and technology capabilities so we can be more efficient and effective in how we do business. I believe all of those ten resolutions have been thoroughly discussed in Caucus and Workshops and don't anticipate any issues with adopting them this evening.

**STREETS AND SIDEWALKS COMMITTEE – (RILEY):**

Councilman Riley stated, I would also like to express my condolences to Kathleen and her family on the death of her mother.

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The Fire Chief mentioned Daylight Savings Time on March 9<sup>th</sup>. The reason for this is we need a few more hours of daylight with St. Patrick's Day coming up.

We'll be holding a Streets Meeting in the next couple of weeks. I've met with the Mayor who is the former chairman of the Streets Committee and briefly discussed Wisnieski Parkway. One of our goals is to get that done before the pool opens. The contractor would have to do the work quickly to accomplish that before the opening of the pool.

I attended the State of the Schools presentation by Supt. David Laurenzi. It was very educational. The school system implemented a strategic plan. They reviewed the plan and their progress with that plan. If you didn't attend, it will be shown on the schools' cable stations. You can call the Board of Education or stop down there to get a copy of the handout.

As Vice Mayor Blaze just mentioned, if you look at the agenda, it's pretty full with many different things, including software purchases. There is a lot going on. I've had a lot of questions about the software purchases. I've talked to Jim Gibbs. I've talked to Bob Williams. They answered all of my questions and made me feel comfortable with what they're doing and the direction the administration is going – utilizing one system where individual departments can work together with no duplication of systems.

As far as the new positions, I had some questions. The Mayor and Finance Director have answered those. I understand the goal of trying to make Independence a better place to live, work and raise a family.

Usually Councilman Grendel talks about the sports. I just want to mention that all the home games are over for this year. Both the girls' and boys' teams had a good season. The seniors, Elyse Shaffer, Jennifer Fletcher, Hannah Stretar and Megan Osysko on the girls' team will be in the playoffs. If you have a chance to watch them, they're a great bunch of girls. The senior boys, Eric Jendre, Dan Zuber and Matt Grendel. Dan Zuber and Matt Grendel both broke some longstanding school records this year. Dan set the record for most 3 point shots in a game. Matt broke the record for most points in a game (46 in one game and 45 in a later game).

Councilman Grendel responded, Matt had 46 in the first game and then 45 in a later game.

Councilman Riley continued, they'll also be in the playoffs. They're a great group of athletes.

**SAFETY COMMITTEE – (GRENDL):**

Councilman Grendel stated, there is a lot of appreciation for the work that Councilman Riley does as announcer. It really adds a lot to the game. He does a super job. Many schools now have an announcer.

The Safety Committee will be holding a meeting in March. Some items for discussion have already been mentioned. Chief Nicastro mentioned some of the deer hunting statistics. We have a lot to digest with regard to that ordinance. I think that all things considered, the first year went

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pretty well. Of course, there is always room for improvement. We're going to look at all different aspects of that.

Also, the vicious dog ordinance also needs to be reviewed. Our animal control officer has some suggestions so we will also be looking at that.

I'm glad to see our new traffic signal installed at Brookside. It was a long time coming. I'd like to get the committee started on the upgrade of the Hillside Road traffic signal that we talked about for this year. It took so long to get the Brookside light completed that I'd like to start on the Hillside signal in early spring and get that moving.

The downtown area signals were to receive a pre-emption system so that our emergency vehicles can safely travel through the center of town.

There is one piece of legislation coming from the Safety Committee, Resolution 2008-32. We received notification from FEMA that our application for the fiscal year 2007 Assistance to Firefighters Grant has been approved. The approved cost for this equipment is \$10,452. Ninety Five percent of that cost is going to be reimbursable to the City through the grant.

I will be supporting the new positions. Again, it's a changing world. Many times you don't know until it has been implemented. I think the key is the personnel that is used to fill these positions. I know when I first came onboard we had a different individual in Ron White's position but that position really became a true asset. I am a big supporter of Ron. The work that Ron has done for us, especially on Rockside Road, has been a tremendous asset. People of his caliber is what we need. If we can have more accountability to Council with analysis reports, it makes our jobs easier. All of us have full time jobs and we're very busy. We need somebody to more or less advise us, give us options, suggest the direction we should move in and give us alternatives. That will make our job of governing the City much better as well as for the Mayor.

I am troubled a little bit about the financial impact and would still like to see if the Finance Director can provide us with this information. And again, as with other things, I would like to assess these after a year and see if it has really helped the City or just created more bureaucracy and have not benefited the residents. I think that his will be an improvement with the quality of people we are capable of hiring. The Mayor mentioned a possibility for the engineering position. It's exciting to have expertise in that area especially.

I think the key is the quality of the personnel that we have and the coordination of their efforts. The positive output will be measured in the coming years. I would like to see the opportunity to implement that plan.

Next month we'll have our sports banquet and I'll be able to give a full report. The records aren't as good as we'd hoped for, but there are a number of tremendous individual performances this year that we haven't seen in a long time. You have to cherish those kinds of things. Nowadays, especially in Independence, you don't have a lot of athletes who commit to excellence. I don't see them working out for hours, day in and day out, 24/7 to improve

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themselves as athletes. When you have a few who work hard at their craft you appreciate them even more.

**RULES AND ORDINANCES COMMITTEE – (KLEPACZ):**

Councilman Klepacz stated, I would like to extend my condolences to the Kapusta family. I have known Kathleen for years and John is a member of the Kiwanis.

On the agenda tonight are several pieces of legislation which create many new permanent job positions in the City. I am strongly opposed, on so many levels, to creating any of these jobs that it is difficult to know where to begin with the reasons for my opposition.

Tonight you have heard others argue on the need for an economic development director position because the growth of our City revenues depends upon maintaining and expanding our business base. We in Independence are fortunate because we have the lowest property tax rate of any city in Cuyahoga County and arguably we have the best services in the county. Today, the fact that not only our main roads are clear of ice and snow, but the neighborhood streets as well, speaks volumes as to the services that we expect and receive everyday. And as we know, our business community contributes the lion's share of the income which makes these services possible. I do **not** question the need and value of an economic development director. We have been fortunate that Mr. Ron White has been the de facto economic developer for several years now, even though his official title is executive assistant to the mayor. His services in bringing in new business and supporting our current business establishment have been invaluable. His coordination and supervision of the just completed Rockside Road Project have been well worth his salary and demonstrates the value of this assignment.

However, the need and value of the other permanent positions is what I question. These include: A Chief Administrative Officer, at pay Level 7, which allows a maximum pay of over \$93,000 per year; an Engineering/Public Service Coordinator, at pay Level 5, which allows a maximum pay of \$75,000 per year; and a Management Analyst, also at Level 5 and a maximum of \$75,000 per year.

Now it's true that they will not be at their maximums for several years with the possible exception of the engineer, but even assuming two at \$75,000 per year and one at \$50,000 per year, that is a total of \$200,000 per year just in salary. When PERS (Public Employees Pension) cost of 14% is added, along with hospitalization, the total costs for these three positions are nearly \$250,000 or about a quarter of a million dollars - year- after year- after year.

When looking at the job descriptions of these positions there is an incredible amount of redundancy. For one illustration, all three will assist in the preparation of the City budget. Maybe someone else has a different opinion but I believe that the Finance Director, Mayor and Chairman of the Finance Committee have done an excellent job with budget preparation. To me, there doesn't seem to be a need to add people to the process. There is far more duplication of effort in the job descriptions, which time does not allow me to enumerate on, but an examination of the job descriptions show a myriad of such duplication.

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The job description for the Chief Administrative Officer appears to be that of an assistant mayor. For example, “to assist in periodic review of all City departments and staff, to maintain a current understanding of the community to plan needed services, to prepare for capital equipment requests and infrastructure replacement in the Five Year Plan”. And all of these tasks are now assigned to the Mayor by the Charter. Do we really need an assistant mayor? But even more troubling to me is the first line in the job description, “to serve as a liaison **between** the Mayor, the Council and the City’s departments and staff on affairs of the City.” Do we need to add another layer of bureaucracy to our City government? Do we need to add a barrier between the Council and the Mayor? Do we need to add a barrier between the directors and the employees? Do we need to add a barrier between the voters and the Mayor? Do we need to create barriers between these groups and the ultimate decision maker? **I think not.** Rather than making government more accessible, it will have the opposite effect.

It has been argued by others here tonight that we are planning for the future and we should think ten years ahead. Well, I am thinking ten years ahead. I see \$2.5 million going into the operating budget. It stretches credibility to suggest that these three people will save the \$2.5 million just needed to cover the cost of their salaries, let alone the additional monies to justify the creation of these jobs. I think of what needs we could have met with that amount of money. How many road projects, such as Wisnieski Parkway, Grandview, Stone Road and Brookside Road could we have done? What water quality issues could have been solved? How many green spaces could we have saved? By creating these positions we are committing the cardinal sin of wasting taxpayers’ money.

We have also heard that we have a \$30 million business and we have to “feed the beast.” We will continue to feed this beast when we start down this dangerous path of expanding the size of the City government. How soon before we are asked to add support staff and office space and other necessities to support these jobs? How much more will these positions cost? And what additional demands will we hear from residents and employees when they see what has been created? How do we respond to them when they say, “Well you had the money for these people, what about my needs?”

During the last election campaign we frequently heard how our operating budget has increased at a faster rate than our revenues and how dangerous that was to the City’s future. So we help alleviate this problem by permanently adding to the operating budget? There really seems to be a disconnect between rhetoric and actions.

And finally, you may recall in the movie “Little Shop of Horrors” the monster plant kept up with the refrain, “Feed me, feed me” and the more it was fed, the more voracious it became until finally it consumed its owner. By adding unnecessary permanent solutions to temporary challenges, we inevitably will create this monster.

Mayor Kurtz responded, we should realize the fact that our business community and our residential community expect more and more every year. If we’re going to improve the level of service to our residents into the future, it’s going to take a highly skilled workforce. Employees in these positions today or hired in the future are going to be highly skilled in order to meet the demands of our community’s future needs and ensure that the growth we need to sustain can be

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matched with the highest level of experience, education, and competency. That's what we are looking at doing today as we invest for the future.

Vice Mayor Blaze commented, I believe that Ron White's position title now is Executive Assistant to the Mayor/Economic Development Director. It's not just a de facto position that you're serving as economic development director. I was always under the impression that it was part of your official title.

Ron White replied, the way I entered into the position it was Executive Assistant with the emphasis on economic development. I asked the Mayor if I could put on my business card and on my nameplate the title of economic development and executive assistant and that's the way it has been. I think officially there is only one job description and that is Executive Assistant to the Mayor.

Vice Mayor Blaze asked, but you've been doing both?

Ron White replied, I've been doing both, yes.

Mayor Kurtz asked, part-time both?

Ron White replied if you split up the time about 50-50 throughout the year.

Mayor Kurtz asked, there is no assistant to the mayor position?

Ron White replied, I've never been called that.

**LEGISLATION:**

**SECOND READING**

**ORDINANCE 2008-02** AN ORDINANCE AMENDING ORDINANCE NO. 2006-07 RELATING TO COMPENSATION OF EXEMPT POSITIONS 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 adopt. Council polled: 5 yes/2 no (Klepacz, Togliatti); motion carried.**

**FIRST READING**

**ORDINANCE 2008-07** AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW

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MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY

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

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

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

**ORDINANCE 2008-08** 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 Grendel, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

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

**ORDINANCE 2008-09** AN ORDINANCE CONSENTING TO THE ROUTINE MAINTENANCE OF CERTAIN BRIDGES BY THE BOARD OF COUNTY COMMISSIONERS OF CUYAHOGA COUNTY, OHIO

**Ordinance 2008-09 was removed from the agenda without objection.**

**ORDINANCE 2008-10** AN ORDINANCE AMENDING ORDINANCE NO. 2008-02 RELATING TO COMPENSATION OF EXEMPT POSITIONS 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: 6 yes/1 no (Klepacz); motion carried.

Moved by Riley, seconded by Grendel, to adopt. Council polled: 6 yes/1 no (Klepacz); motion carried.

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

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

Ordinance 2008-11 was placed on First Reading and referred to the Public Lands & Buildings Committee without objection.

**ORDINANCE 2008-12** AN ORDINANCE AMENDING SECTION 909.06 OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE RELATING TO TREE TRIMMING AND REMOVAL AND DECLARING AN EMERGENCY

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

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

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

**ORDINANCE 2008-13** AN ORDINANCE GRANTING A U-3 SPECIAL USE PERMIT TO ST. MARON CHURCH AND DECLARING AN EMERGENCY

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

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

Moved by Riley, seconded by Grendel, to adopt.

Discussion: Mayor Kurtz stated, this U-3 Permit was approved by the Planning Commission last week. If it is approved by Council tonight, it will end the lawsuit by St. Maron. St. Maron will have to then begin the planning process if they wish to pursue the Marycrest site. This will be on their timetable.

Councilman Klepacz commented, I will vote yes but let the record show that this is a clothespin vote.

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

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

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

Ordinance 2008-14 was placed on First Reading and referred to the Public Lands & Buildings Committee without objection.

**ORDINANCE 2008-15** AN ORDINANCE AMENDING ORDINANCE NO. 2008-10 RELATING TO COMPENSATION OF EXEMPT POSITIONS 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: 6 yes/1 no (Klepacz); motion carried.

Moved by Riley, seconded by Grendel, to adopt. Council polled: 5 yes/2 no (Klepacz, Togliatti); motion carried.

**RESOLUTION 2008-12** A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF WILLIAM ZARLENGA AS A CITIZEN MEMBER OF THE CIVIL SERVICE COMMISSION

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.

Discussion: Mayor Kurtz thanked Mr. Zarlenga for his willingness to continue to serve us.

Councilman Klepacz commented, I would like to thank you too. I know that you have the support in your current position of all the members who speak very highly of you.

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

**RESOLUTION 2008-22** A RESOLUTION AUTHORIZING THE RETENTION OF ELEWSKI & ASSOCIATES, INC. FOR VARIOUS PROFESSIONAL ENGINEERING SERVICES AND DECLARING AN EMERGENCY

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

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

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

**RESOLUTION 2008-23** A RESOLUTION AMENDING RESOLUTION 2008-05 REGARDING COUNCIL RULES

Moved by Riley, seconded by Crooks, to read by title only. 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 2008-24** A RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

Moved 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 2008-26** A RESOLUTION AUTHORIZING THE PAYMENT FROM THE CITY'S CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF COMPUTER EQUIPMENT AND SOFTWARE 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 Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

**RESOLUTION 2008-27** A RESOLUTION SUPPORTING ISSUE 15, CUYAHOGA COUNTY'S HEALTH AND HUMAN SERVICES LEVY AND DECLARING AN EMERGENCY

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

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**Moved by Grendel, seconded by Riley, to adopt.**

Discussion: Councilman Crooks commented, after reading the legislation it seems as though this is a reduction in taxes but a question was raised as to whether it was an increase or a reduction. Due to lack of clarity I will be abstaining.

**Council polled: 5 yes/ 0 no/2 abstain (Blaze, Crooks); motion carried.**

**RESOLUTION 2008-28** A RESOLUTION ACCEPTING A STANDARD EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF A WATER MAIN FROM AP/AIM INDEPENDENCE SUITES, LLC ADJACENT TO ROCKSIDE WOODS BLVD. AND DECLARING AN EMERGENCY

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

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

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

**RESOLUTION 2008-29** A RESOLUTION AUTHORIZING THE PAYMENT TO WALTER H. DRANE COMPANY FOR UPDATING THE CITY'S CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

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

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

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

**RESOLUTION 2008-30** A RESOLUTION AUTHORIZING CHANGE ORDER NO. 8 TO THE 2006 ROAD MAINTENANCE AND REPAIR CONTRACT BETWEEN THE CITY AND ANTHONY ALLEGA CEMENT CONTRACTOR 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 Riley, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.**

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Moved by Riley, seconded by Grendel, to adopt. Council polled: 6 yes/0 no/1 abstain (Riley); motion carried.

**RESOLUTION 2008-31** A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH THREE-Z-INC. FOR YARD WASTE PROCESSOR SERVICES FOR THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY

Moved by Crooks, 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 2008-32** A RESOLUTION AUTHORIZING THE PURCHASE OF SIX (6) SETS OF TURNOUT GEAR FOR THE FIRE DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

**RESOLUTION 2008-33** A RESOLUTION AUTHORIZING THE PURCHASE OF A 2008 FORD F-550 CREW CAB AND CHASSIS UNIT FOR THE SERVICE DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

Moved by 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.

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**RESOLUTION 2008-34** A RESOLUTION ACCEPTING THE PROPOSAL OF LIBERTY AUTO GROUP FOR THE PURCHASE OF A USED 2008 FORD CROWN VICTORIA FOR THE COMMUNITY SERVICES 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 Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

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

**RESOLUTION 2008-35** A RESOLUTION ACCEPTING THE PROPOSAL OF LIBERTY AUTO GROUP FOR THE PURCHASE OF A USED 2008 FORD CROWN VICTORIA FOR THE COMMUNITY SERVICES DEPARTMENT AND DECLARING AN EMERGENCY

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

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

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

**RESOLUTION 2008-36** A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) 2008 FORD F-250 PICKUP TRUCKS FOR THE SERVICE DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

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

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

**RESOLUTION 2008-37** A RESOLUTION AUTHORIZING THE PURCHASE OF A 2008 FORD ESCAPE SUV HYBRID FOR THE BUILDING DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

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

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

**RESOLUTION 2008-38** A RESOLUTION AUTHORIZING THE PURCHASE OF A 2008FORD E-350 CARGO VAN FOR THE RECREATION DEPARTMENT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

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

Moved by 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.

**MISCELLANEOUS BUSINESS:**

**LIQUOR PERMIT:**

Change of Corporate Stock Ownership:

Rare Hospitality International, Inc.  
DBA Longhorn Steakhouse of Rockside Road  
4171 Rockside Rd.  
Independence, OH 44131

There were no objections noted to the change of corporate stock ownership.

Moved by Riley, seconded by Crooks, 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 8:40 p.m.