

**CITY OF INDEPENDENCE
SAFETY COMMITTEE MEETING
MINUTES
AUGUST 5, 2008, 5:00 P.M.
COUNCIL CONFERENCE ROOM**

Present: Chairman Dave Grendel
Councilman Tom Narduzzi
Councilman Jim Piteo

Others Present: Mayor Gregory Kurtz
Technical Services Director Tom Avsec
Engineering Coordinator Donald Ramm
Councilman Anthony Togliatti
Economic Development Director Ron White
Fire Chief Pete Nelson
Police Chief John Nicastro
Resident Loren Guell

Chairman Grendel called the meeting to order at 5:28 p.m.

Moved by Grendel, seconded by Narduzzi, to approve the minutes of the June 2, 2008 Safety Committee Meeting. Voice Vote: 2 yes/0 no/1 abstain (J. Piteo); motion carried.

Chairman Grendel stated we will go right down the list. The first item we will get an update on is the Hillside and Route 21 signalization upgrade and Don can give us an update on that.

Don Ramm said, yesterday at my coordination meeting with the engineers, they did drop off a preliminary set of plans and specs for the project, so I need to take a look at that and review it. They have moved pretty quickly on the design and they did a preliminary estimate, as well, it's about \$170,000. I don't recall how that fits with what we initially talked about on this project. I think it was in the \$140,000 to \$150,000 range way back when we authorized them to move forward, so it is quite costly when you look at the cost of the Brookside signal which was about \$67,000. What happened is they required an additional two poles, so now you're going to have signal poles on all four corners because of everything being pushed back to accommodate the widening, and it was too much to have two poles with two masts that long, so that certainly added to the cost. Also, the video detection is part of the project so that also added some costs.

Chairman Grendel stated that with having four poles, it is not like Brookside where you could have individual poles for the crosswalk.

Don Ramm said right. We might still need those for the pedestrians though since it needs to fit with what's out there. In the final scheme, it probably would be able to be mounted right on the poles themselves if they are located such near the curb ramps.

Chairman Grendel said, of course, we couldn't put the poles in if the intersection might be done a couple years later. It wouldn't make sense to put in the small poles and then have to take them out because of the widening. So, the "Don't Walk" sign should be on the main pole.

Don Ramm then stated that they needed to be near the curb ramp, so if the poles are going to be way back, but it is not likely that they are going to be. There is going to be a temporary condition where you're going to buy those pedestrian poles, put them in, and then take them out.

Mayor Kurtz said we already have some pedestrian poles there, right? Councilman Grendel agreed.

Don Ramm said I don't know if those will be utilized with everything being underground.

Mayor Kurtz said it doesn't make sense to him to put new poles in just to tear them out in five years.

Councilman Narduzzi said it would be 2010, basically, that we would be talking about for that. He asked if that \$179,000 includes engineering cost.

Don Ramm said that is construction cost.

Chairman Grendel stated that engineering is about \$30,000, and that has been authorized. That includes the right-of-way, too. The letter I have here from Don Elewski to you dated May 28th, had a total cost of around \$30,000. \$15,000 for the preliminary engineering, \$14,000 for the title searches, right-of-way, appropriation and Hazmat, also.

Don Ramm said those are moving along. The title work is being worked on and might already be complete. Legal descriptions are being generated so that the law department can proceed with the right-of-way. Hazmat has not been done yet, but I believe that's going to be scheduled for next week to do the boring over there at the gas station site.

Chairman Grendel said that it would be a pool of about \$210,000 altogether if you add all the expenses. Don Ramm replied, so far.

Councilman Piteo asked if the right-of-way that we're proceeding for these signalization poles, will that be sufficient for the road widening or will we have to do a separate right-of-way?

Don Ramm stated, no, in fact, we're actually buying what we need for the roadways to accommodate, so that will be a one stop shop, and we can get it all now and not have to worry about it.

Chairman Grendel stated that the only corner we don't have to worry about is where the funeral home is.

Don Ramm stated, that's correct, but initially we didn't think it was going to be a pole that had to be spotted there, but now there will be a need for a pole there.

Councilman Piteo asked if it is because of the type of the pole or because it is too long of a span?

Don Ramm stated it is too long of a span.

Councilman Togliatti asked if there are poles on all four corners at Rockside and 21.

Ron White said, yes, but those had to be specially designed for the load, and so forth, because that's a huge intersection. Much bigger than Hillside will be.

Don Ramm then went on to say, so, at this point I need to review the plans, review the documents. It's not prudent, at this point I don't think, to move forward with bidding it because of the property. You can still take the bids and you've got like a 60 day window to award the job, but you really ought not to award it in order to proceed without having the property there, so try to hold off until those items follow. I'll be in contact with the law department to see where that's at and what type of time frame they anticipate if they've got to go through appraisals and the whole nine yards. I don't have a good feel, timing wise, as to what that would take.

Chairman Grendel stated that at the next meeting there would be an update on that aspect of it, and a better idea of when to go to bid.

Tom Narduzzi said, you wanted to get this going by the end of the year, at least.

Chairman Grendel replied, yes, at least, but this might be something that will be a two year project, since the cost of it might be in this or next year's budget as far as the signalization goes.

Councilman Piteo said that Ron brought up a good point. Were they asked to consider redesigning the poles, especially for that distance on that intersection, and would that cost offset four poles and all the work?

Don Ramm said it was authorized to design it to accommodate the future widening of it. Is that what you mean?

Councilman Piteo said no. What I'm asking is the poles seem to be in question as to the span that they have to cover at the intersection. Sometimes, if you don't ask, they'll just design four poles, figuring that they're solving a problem, but maybe the cost would be different if you actually had them design the masts or poles to fit that intersection. Would it be less than the actual four poles?

Councilman Narduzzi said, do you mean to go with two poles?

Councilman Piteo said with a specially designed pole.

Don Ramm said I assume they looked at that and determined that is was going to be more feasible.

Ron White said, just eliminate that if that's an option that we would have.

Councilman Narduzzi added, that's a good point, because on Rockside the three lanes that turn have a single pole.

Ron White said that is definitely a specially designed length of mast arm and the size of the pole, itself. He said there is maximum point of what you can do.

Don Ramm said he will pursue that.

Chairman Grendel stated that because of the amount of money we're spending, this may be a two year project. We've put aside so much for this year already and, of course, some of it has been expended already in engineering and the right-of-way, but I'd like to see this completed by this time next year because it looks like we've got a couple other things brewing. Either the Rockside Woods North and Selig, which will require mast arms there, too. I think it needs to be kept consistent, so this is something that we want to keep proceeding with, and weather is going to be a condition, too. We will have to see how quickly they go with the land acquisition. If that goes rather smoothly and everything then maybe we can still do it this year.

Councilman Narduzzi asked if that is underway.

Don Ramm stated the legal descriptions, in terms of preparing the legals, kind of defines the boundaries and acreage of what parcels are needed. Then they can go forward.

Chairman Grendel said, so, once that is done, that's when our Legal Department will approach the land owners.

Don Ramm said there may already have been some preliminary discussions. I think there is also a point at which, through the legal process, that they can appropriate it. In other words, if there is a conflict and someone doesn't want to play ball, there is a process where for the good of the project for the City, I think they can do something, legally, and then move forward.

Chairman Grendel then thanked Don and said that he would probably have another Safety Committee meeting next month, because of the hunting season beginning in October. We will want to meet before to make sure everything is square with the deer. We will get an update at that time and keep this moving forward.

Chairman Grendel said we will now move onto the discussion of Ordinance 2008-31, the EMS Billing, and there should be a revision from Greg O'Brien.

Chief Nelson stated this is a memo sent out from the County on a program for Disaster Preparedness for what's called senior officials, elected officials. If you could put a copy of that in each of the Councilperson's mailbox, but we're not going to need it now. If you have any questions, let me know. Regarding EMS billing, the revision in front of you, I'd like to explain what some of those revisions were so you understand the difference between the 2008-31 on first reading as opposed to what you currently have there now. John Veres, Maggie and I met with two billing collection agencies and discussed what they can offer us. In that discussion and reviewing our ordinance, the original ordinance had blanks as far as what to charge for the

different types of runs. What you see here are recommendations from both of those companies, and they are both consistent on the amount that we can bill for either BLS or ALS calls, plus the amount we can bill for mileage. We have inserted that in there based on their recommendations.

Chairman Grendel asked if these were consistent with what other communities are charging?

Chief Nelson responded that they are more up-to-date and slightly higher than what most communities have. So that's why those were put in there, in Section 1A. Section 1B is a new paragraph, and that, basically, allows the City to contract with the collection agency, and in the event there are problems, in the event that the City wants to discontinue their contract with them and go with another agency, this basically allows the City to do that without having to go back and change the ordinance. It gives them that flexibility without identifying a specific company. We can probably do that in contract form with the guidance of the Law Department and the ordinance won't tie us down, with a particular company. That is the reason for that insert.

Chief Nelson said the other change is in Section C, and the specific language that was changed was from Finance Director having the ability to waive fees, let's say for indigents, people who have no insurance, it allows the Fire Chief to make that change, since the Fire Chief is not an elected official and the Finance Director is. The other change is on D. Basically, what I did was to look at the ordinance that was on first reading, and it was kind of ambiguous. You couldn't really understand what was going to be charged, whether even the insurance company was going to be billed for the resident, and we used the same language as in E, basically, to identify that the resident's insurance company will be billed, but that they will receive no other bills, co-pays or deductibles. So that cleans it up a little bit, and if you have the older version there, you can see where it is kind of ambiguous as to what actually can be charged.

Chairman Grendel then stated that both the resident and person that is employed in the City are treated the same way then.

Chief Nelson said yes, and what will happen, just so you are aware of it, by law, once we start billing, everybody that's transported has to be billed. We cannot say we're not even billing our residents, and everybody else we will. We have to bill, and they are going to be billing the insurance companies, and that is what is called "soft billing," just the insurance companies. Those who are transients in the City, those who were driving down the freeway and don't work in the City or they are not residents, the collection agency will go after the co-payment and the deductible as well. Similarly, if one of our residents drove through another City and got into an accident, the same thing would happen to them. Their co-pay and deductible would be collected. If we have mutual aid, and that's addressed in here, they will handle our residents and those that work in our City the same way that we will.

Chairman Grendel then said that the resident and the person that's employed, they do not receive a bill at home, the insurance company gets billed directly?

Chief Nelson stated that the insurance company gets billed, but they will receive a statement of services or explanation of benefits from the insurance company, and it would behoove us to

review that every month and make sure that our residents aren't billed further, and we'll keep an eye on that.

Mayor Kurtz said that the tough part is going to be that people get a bill and they pay it. Then I get the calls.

Chief Nelson said that what we are going to have to do, and the two companies that we sat and talked to have addressed that, they've seen that happen in other communities, and if that's the case, then there would be a reimbursement back to that resident.

Mayor Kurtz asked, through the City or through that agency?

Chief Nelson I'm not quite sure, but I believe it is through the agency.

Mayor Kurtz said that the money, the transaction portion of this goes from the insurance company, billed through the third party, insurance company or collection agency, and we get an assigned percentage, or they keep a percentage.

Chief Nelson responded that they keep a percentage.

Mayor Kurtz then stated that if you think about it, the majority of the money is coming to us. They are going to work on a 6, 7 or 8% fee or something. Now, if there is a rebate or something and they pay us, we would probably take it as a credit next month. All I'm saying is that we have to make sure the Law Department has signed off on the physical procedure because the law is pretty clear that you are only allowed to collect revenues or disperse funds a certain way or under certain authorities, and between the Finance Department and the collection agency, we ought to make sure we're coordinated.

Chief Nelson said, rather than the ordinance, that would be addressed in the contract with whatever billing agency we contract with.

Mayor Kurtz stated to make sure, legally, that if we collect something, and later on it's a reimbursable item, you, the Safety Director, or somebody's going to have to authorize that and then have it come out of future receipts, unless the law says that we have to write a check back. I want to make sure that's not caught up in some paper error.

Councilman Narduzzi said, I think it should come back before, because if they're going to collect the money and take their percentage, we're less dollars, automatically. So, if we're reimbursing in full, we're losing whatever percentage we've giving to that plan.

Chief Nelson said it is my understanding that they had situations like this in other communities and through contract language it is clarified how the process is being done.

Chairman Grendel asked if the collection agency would be sending a bill to our residents.

Chief Nelson said that the insurance company will send a statement, but the collection agency won't be billing on that.

Chairman Grendel said it's all in the explanation of benefits, whether it be Medicare or an insurance company, and it should have in there what you are responsible for, and for our residents it should be zero, or anybody who works here. You know how they have the "Your Responsibility Is \$__", or "You May Be Billed Up To \$__."

Chief Nelson said, I'm not quite sure how that pans out. We did talk about that, and I guess that all depends on how the insurance company sends their statements.

Chairman Grendel said that it says "You May Be Billed," so it doesn't mean you are going to be billed.

Mayor Kurtz stated, I would still have both potential vendors show you an existing paper trail so that you can see some of the issues to be dealt with, and say how you manage some of these issues.

Chief Nelson said I touched base with a number of communities that utilized the two companies that we spoke with, and I didn't find any negative statements from any community on either company, so they seem to be pretty consistent.

Chairman Grendel asked how we would choose between the two, and would it be put up for bid?

Chief Nelson said let me finish one more section and then we'll get into that. The other section that has been amended is Section G, and you have the correct wording on there, and that just states where the funds will be directed towards and how they will be utilized.

Chairman Grendel said that is for the Finance Director as that is a finance issue, so will Council be approving the creation of this new fund. When there is a new fund created, doesn't Council have to OK that?

Mayor Kurtz stated, for sure.

Chief Nelson said, basically, that was it for the changes in the ordinance. Your question regarding how we are going to go out to bid. I sent an email to Greg O'Brien, and he answered me by basically saying that short of a super majority, the contract must be bid, and he'll get with you on the revised ordinance. If you look at it up on top where it starts with "Chief," it is basically his response to my question on should we go out to bid or should we select a vendor. Finance Director Veres didn't get a chance to talk with any of the vendors regarding fees, only because if we do go out to bid then it would invalidate his discussion about maybe getting a better rate. Right now the rate is 7%.

Chairman Grendel stated that there are only two companies.

Chief Nelson replied that there are a number of companies. These are the local companies that for the most part, are used by most of the communities in Cuyahoga County.

Mayor Kurtz said that they are probably not going to waiver on that 7% too much because it would affect everybody else. I'm wondering if in the contract they have something that says if you do a certain volume you get a certain rebate, and maybe that's how they get around it.

Chief Nelson stated I would think so. I know when Bay Village contracted with, I believe it was Life Force, they went in with the consortium, the West Shore group, and there are eight communities that are in that consortium, and they lowered it to 6 ½%. They now have all eight of those communities.

Councilman Piteo asked if we can bid it out as a percentage up to \$100,000, and then from \$100,000 to \$200,000 a percentage, and maybe they'll bid lower.

Mayor Kurtz said to leave a blank line and have them fill it in.

Councilman Piteo said if we go over \$200,000, they may bid say 6-½ or 6%.

Councilman Narduzzi asked, what do you think this revenue is going be.

Chief Nelson said, one of the companies, Great Lakes, gave me just as a projection, and I circled some numbers on the bottom right of that handout. If you take a look at it, their anticipation, based on some preliminary numbers I gave them, was that the gross revenue would be \$540,000, and that they anticipate their percentage collecting that they got from other communities in the same type of percentage, would be \$386,000 out of that, and if you go down on the right side and take the 7% out of there, then the gross receipt to us would be about \$348,000.

Councilman Togliatti asked what was their projection on revenue for doing the EMS billing.

Chief Nelson said it's just a ballpark figure.

Mayor Kurtz said did they bid it out?

Chief Nelson replied I'm not sure.

Mayor Kurtz said I think we ought to do a specification sheet that again does it in incremental numbers, so they can fill in the numbers so we can see, based on \$350,000 revenue, what it would cost us.

Chief Nelson asked, without going to bid?

Mayor Kurtz said that he didn't care, but that it's going to take us time, it could take us a couple of months just to bid it out. All we really want Council to do is approve the context of how we want to do it, and I agree with Anthony that it should be done on a graduated scale, and if we can frame something like that, and then get the Law Department to review it. If they say we want to

send this out under a professional services package, and then have them respond by a certain date, we could then be in a position to accept under a professional services contract.

Chairman Grendel said that you wouldn't want some small guy to bid on it and give a tremendous bid, but have no capability of meeting the requirements.

Mayor Kurtz said I believe we would be able to do it under professional services. You already have two people you know that will respond, and then I would send the specifications to the Law Department and have them accept it as to form. Then send it to them to respond by a certain date and time. We could convene a meeting or do a Council Caucus, and if Council is comfortable, we will accept it, and if they're not then we will re-bid it.

Chairman Grendel said that he noticed that we had talked about the funds that will come in to have a specific purpose or use. When Council authorizes a Safety Fund we will set it up.

Mayor Kurtz stated that as stated in the legislation, for police and fire use for equipment.

Chairman Grendel then said, that will be part of that legislation when we approve that fund.

Councilman Togliatti stated, then we will need two separate pieces of legislation, one for the fund and one for the EMS billing.

Chief Nelson went on to say that this is for every instance that a patient is transported to a hospital.

Chairman Grendel added, that if it just goes to the house and there's no transport necessary, there is no charge.

Ron White asked what our experience is on frequency of hospital transports.

Chief Nelson said approximately about 1,000 transports per year.

Mayor Kurtz asked what percentage of those calls do you respond to with the squad.

Chief Nelson replied, the majority are transported to the hospital. We have what is called non-emergency transport, and I brought that up with the company that we had interviewed, and she said that there are some instances that we could charge for service. She really didn't get into it. That is something we need to review and see if we're eligible to do something like that, so I can't answer that 100%, but we did talk about that. So, I guess for review, do you want me to contact the Law Department to see if we should have a professional services bid?

Mayor Kurtz replied, yes. There only several select people that even provide the service. It's not as though there's fifty or one hundred potential bidders. There are two that we know of in this area, and so our goal is to put together a bid proposal, but do it as professional services, and see if he'll allow that and approve the text of the bid package. Then you can send it out

registered, and then have it submitted back by a certain date, and then we'll have a chance to then to go through that and determine if we're satisfied, and go from there.

Chief Nelson said, one of the components that we'll be looking for is the graduated fee structure.

Mayor Kurtz said, the first \$100,000 to \$200,000, the percentage is this, \$200,000 to \$300,000 is this, beyond \$300,000 is this, and they may come back and say seven, seven, seven, or they could say seven, six, five. It gives them some option and gives us a greater vehicle. I would also put in there a flat fee, so that we have the option to do what we want to do.

Chairman Grendel stated, we will still go forward with approving this in August, so then we can move forward with getting the procedure for the bidding.

Mayor Kurtz said yes, and if we have to change or modify it based on that, we can bring it back if we have to.

Chief Nelson said that gives the City flexibility.

Moved by Grendel, seconded by Narduzzi to recommend to Council passage of Ordinance 2008-31 regarding EMS billing at the August meeting. Voice vote: 3 yes/0 no; motion carried.

Discussion ensued concerning the benefit to the Police and Fire departments of the funds derived from the EMS billings.

Chief Nelson said that we are one of the last communities to actually do EMS billing, and I have not heard from other communities that put in for the same type of grants that I do.

Chairman Grendel said it doesn't affect insurance rates.

Chief Nelson said it doesn't.

Mayor Kurtz asked how many runs Brecksville has.

Chief Nelson stated that he was not quite sure of the amount, but that they do not have as many as we do.

Chairman said they don't have the hotels we do.

Chief Nelson said, for a community our size we have quite a bit of calls.

Mayor Kurtz stated that these numbers are based on 1,000 and they have 500, 600 or 700, then I could talk to Mayor Hruby and maybe he'd be interested. We do have a consortium for salt purchase, and if we can run the number up, it becomes enticing. Maybe they'll pass the same legislation and we can do it.

Chairman Grendel asked if Valley View is by themselves or with the consortium.

Chief Nelson said they used to be with Maple Heights. I don't know who they are with right now.

Chairman Grendel said the next issue was the fire hydrant painting bid.

Chief Nelson said the bids came and specifications came in, and there was a recommendation to have legislation prepared for a company called Safety First Painting Company. They are the ones who painted the hydrants previously and they were the lowest bidder. We selected them based on the bid of the hydrant, their bid was \$63.00/hydrant and the next bid was \$175.00/hydrant. They had the best warranty, a five year warranty on the labor and the material, and the next one was a one year, and they already did a hundred hydrants and we've inspected them and are very satisfied on the work that they've done. I thought Finance Director Veres was going to be here because they talked to him about funding for this project. I don't have enough in the operating budget. My goal in 2008 is that we do an additional one hundred hydrants. Some of those being high visibility--Pleasant Valley, Oak Tree, West Creek, and in areas like that, and then next year for 2009, do two hundred more hydrants, same price of \$63.00/hydrant. I could put that in the operating budget for 2009, but for this year, Finance Director Veres was going to comment on that, and I'm sorry he's not here to say where the funds are going to come from for that. So that would be my proposal. \$6,300 for 2008, and then \$12,600 to do two hundred additional hydrants in 2009. That won't be all the hydrants, but when we looked at a lot of the hydrants on the side streets, they are in great shape, they just don't get the abuse the ones on the main streets do. There are about 850 total in town. There are 170 a year left to do now, and we're on a five year rotation, but I don't feel we have to do all of them. I think the ones on the side streets are very presentable, they look good, and the paint holds up on them.

Chairman Grendel said we have one hundred completed already this year, you propose to do an additional one hundred for 2008, and that will be at a cost of \$6,300, and then for 2009, an additional two hundred, and that will be \$12,600. Both of those would be done under this bid.

Chief Nelson said yes, this was a two-year bid.

Chairman Grendel said it doesn't seem to me that it would be a difficult amount to come up with, and we already have a track record of working with them.

Moved by Grendel, seconded by Narduzzi, to put legislation for Safety First Painting Company on the agenda for approval by Council at their next meeting. Voice vote: 3 yes/0 no; motion carried.

Chairman Grendel said that takes care of issue number three. We'll take care of both of these pieces of legislation approved at the August meeting. Now, we have Tom Avsec here, who provided us some background in a memo this evening, will give us a little overview regarding that.

Tom Avsec, Technical Services Director, said I provided a memo with bullet points to summarize where we are today. Look, I'll be honest here. I goofed with the \$50,000 that I had asked for and I explained in here why, and how we came up with that number. It was based on a communications committee meeting with some contractors, who were looking out this window right here, and saying how much it would cost to take that tower down and move everything over. At that time, I thought we would be able to do a lot of this in-house. We would bid the project out ourselves and, as we got into this, it was evident it just wasn't going to happen.

Chief Nelson said, in your defense though, those were numbers that we got from professionals. They are the ones that gave us a pretty good ballpark figure of what that was going to cost.

Technical Services Director Tom Avsec said, what I didn't know at the time is that there are all kinds of issues that the owner of the tower has through their lease with the City, and I highlighted some of them. They require two contractors to work on their towers. Any work performed on the site that's not by Crown Castle's project managers is subject to an inspection for about \$6,000. There was an AMV tuning skirt analysis that had to be done for \$3,600, a structural analysis on the tower for \$1,500. Where we really got hit with cost was that we are supposed to build an equipment shelter onsite. After delving into it even further, I've taken a step back and said no, we need a concrete structure like they do everywhere else. If you go to any cell tower, you'll see the structures are all the same. That structure alone is \$20,000. Now that comes pre-wired with generator receptacles and the whole ball of wax. To make a long story short, we have three options we have to decide on. One is to appropriate an additional \$50,000 to proceed with this project this year, and two is to postpone the project until 2009 and ask for another \$50,000 in the 2009 budget, and the third option, which I would prefer not to happen is to do the tower work now, purchase equipment today, but don't do any of the ground work, which is buying the structure, installing the structure, getting power to the shelter. It's kind of like divide it in half, power work and then ground work.

Chairman Grendel said I would like option number two, in that we have \$50,000 set aside this year, let's set aside \$50,000 in our budgeting hearing for next year, and then get it done next year, all at one time.

Tom Avsec stated we've gotten some of the legwork done, but the one thing I'm not aware of yet, and I have to get back with the Law Department, is that they are almost finalized with the lease agreement with Crown Castle, and what I don't know is if there is some kind of time constraint on that. In other words, if we wait until next year, how will that affect us.

Chairman Grendel said, I see that you have \$30,000 expense to Crown Castle. Is that part of that?

Tom Avsec stated this is with Crown Castle doing the handling. They bid out the steeple jack work, they basically have the whole project. This is what they do every day of their lives. They know who to contact, they know who to get out there. So that \$30,000 number, it might come in at \$20,000, but we don't know what it's going to come in at. He said probably between \$25,000 and \$35,000.

Chairman Grendel said you can count on the high end probably. Can we do the legal work with Crown Castle, get that all taken care of, so that's out of the way?

Mayor Kurtz said we should get the legal work completed and we will just make sure we are in a position, at Budget Hearings, to allocate another \$50,000, and be able to do everything next spring.

Councilman Narduzzi asked if it was possible that the price could jump more by next spring.

Tom Avsec said that is a good point. As you know, the cost of copper has gone through the roof, and we're talking about three antennae, each with their own co-ax, 220 feet per line. That can get expensive. Now there is other material out there, copper coated aluminum coax that is less expensive and still does the job. What I might consider is this year look at \$50,000 maybe to purchase the shelter, or at least at the beginning part of 2009 because they are going to need a fourteen to sixteen week lead time on that shelter.

Chairman Grendel stated you could do some of it with the \$50,000 in place already. Do whatever you feel is right. Purchase some materials, get that taken care of.

Councilman Narduzzi said that is what Tom is looking at.

Chairman Grendel said then next year, with an additional \$50,000 or whatever you need, because you have a better idea.

Councilman Narduzzi said it might be \$60 or \$70,000 next year, you don't know.

Chairman Grendel said whatever you can do to lessen the amount, get it by this year's cost. He said I would like to make a motion to put the \$50,000 in place, to utilize those funds to start the project, whatever you can do, equipment, the shelter, and maybe if you need a small amount, another \$10,000, or so, to get what you need this year, we can get that and then next year have Crown Castle bid out that portion of it and get the work done next year.

Mayor Kurtz said the only thing you might have to do is bid out the shelter.

Tom Avsec said I've gotten two quotes.

Mayor Kurtz added that unless it's a state purchasing program, you're going to have to get Council to approve that, and you may want that approved at the next meeting. If, in fact, those are locked in prices, and they are good for six months. Either way, by purchase order or professional services, you're going to have to approve that. Whatever you can get done by Friday's packets, we'll do it and Council can act on it next week. If not, you'll have to wait until next month.

Tom Avsec said there is no rush, being that we're not going to actually have anything working.

Mayor Kurtz said to get yourself organized; and whatever we have to do, we'll put it together as far as whatever has to be bid out or accepted by Council to purchase, we'll do that, and it's understood that we're going to allocate another \$50,000 for next year.

Tom Avsec said the good part is that if we do get this preliminary work done in the first year, we can go right in on top, because it won't hold up anything.

Mayor Kurtz said that could come out of that safety fund, too, public safety equipment. Others agreed.

Tom Avsec stated I would like to add one last thing. Not included in there is an upgrade on the existing equipment. We're just going to take it and move it over to the new shelter. I'll look at that, too.

Chairman Grendel asked if there were any other questions for Tom. There were none.

Chairman Grendel said we move on to the discussion of handicapped parking fines.

Chief Nicasastro said with the state statute, there is such a discrepancy in the fines. The City fines handicap parkers \$50, and the state mandates a minimum of \$250 up to \$500. We asked the Law Department to take a look at that, having upgraded our own to be consistent with the State. All of our other Ordinances are equal or even higher than what the State usually mandates, so we asked them to look at that, and I just wanted to make you aware of that. If you have somebody who is an egregious violator, right now we occasionally site them under State and that has to go to Garfield, as opposed to here. Now, even though we get most of that money back, it just seems to stand to reason that would be consistent with what the State statute mandates.

Chairman Grendel said that down the road we might have some legislation then.

Chief Nicasastro said probably for this month unless somebody has some objections.

Chief Nicasastro said we haven't heard back from Greg. Angie Zeleznik sent the request down.

Chairman Grendel notes that Greg O'Brien has just entered the meeting, and says that we are talking about the handicap parking fines. There has been a request to have ours be consistent with the State.

Greg O'Brien stated that's one thing I haven't looked at, but I don't think there's a problem with increasing fines if that's what you're asking.

Chairman Grendel asked if they could have that legislation on Friday.

Law Director O'Brien said yes.

Chairman Grendel asked if there are any thoughts from the committee.

Councilman Piteo said that Kathleen Kapusta raised a concern about how we ticket people with a handicap. If they have the placard and forget to put the placard up. I'm kind of uncomfortable with giving someone a ticket if they mistakenly forget to put it up.

Chief Nicaastro said I think someone misstated, in that if you have a placard issued to you, but you don't have it in your car, there's a mandatory \$100 fine. The fine can be up to \$100 if you are cited and convicted. If somebody does get cited because they forgot it, it's still an issue that comes to court to be resolved. For reason, it could be dismissed.

Chairman Grendel said if someone has a reason, such as he was in a hurry to get to a senior meeting, or something like that.

Chief Nicaastro said I did look that up to verify it, because it didn't sound right, but I didn't want to say anything at that time. In that case, the fine may be up to \$100. I don't anticipate that there's a problem, and the police, of course, have discretion as to whether to cite or not if it's a case like that.

Chairman Grendel stated we will move on to discussion about the new jailer, Ron Corrao.

Chief Nicaastro said, what I intended to bring to you was the fact that we have two full-time jailers, and we had wanted to put Ron on full-time. He's been on part-time for several months now and is doing a good job, and our intent was to be able to staff the jail twenty-four hours a day, seven days a week. This would give us three full-time and two part-time jailers. I was just advised this week by Bob Ornas, who is our full-time jailer, that he intends to retire, and he's just double-checking his anniversary date, which is in early October. So, he has notified us that he will be retiring in October. At this point, Ron becomes a replacement. We just wanted to make sure you guys were on board with putting Ron on full-time, and if that does happen, we will probably be looking for another part-timer to try and fill those hours. Any hours that we don't have filled by a jailer requires a police officer to come off the road to make the minimum hourly checks in the jail, give phone calls, feed meals, give showers, take care of visitors, and all those sort of things. Of course, we would rather keep policemen on the road, so that's where we are headed.

Councilman Grendel said with Bob's retirement, Ron will replace him, so you'll still just have two full-time, and you're looking for a part-timer. Do you think then you'd have a recommendation for a third in a few months?

Chief Nicaastro said I would still like to go for a third. Right now, the part-timers that we have aren't interested in full-time. So, first we'd have to get somebody in here, get them trained, and then make sure it would work out, and this is the guy we want.

Mayor Kurtz stated to Chief Nicaastro, another thing that would help is to run your financial analysis, and just tell us what it is costing for the full-timers, pick out the times, and show if you added a full-timer, what the impact would be in terms of benefits, so that Council could plug it into the budget for 2009, and so they also would be able to understand why we want to do this.

Chairman Grendel said this way, if we do approve it, even though you might not have that third person at the beginning of the year, you'd have the ability to go ahead.

Chief Nicaastro said he will have to see how the pay increases go. I believe North Royalton, for example, starts their jailers at \$19.00 per hour. Well, I think Bob is making sixteen something, so they've asked for an increase, and I'll plug that in.

Mayor Kurtz stated we'll be consistent in our adjustment, because we have to be competitive.

Chairman Grendel said the cost analysis of having three full-time, or for next year, in preparation of the budget and everything, because now Ron is going to be full-time.

Mayor Kurtz stated we will look to adjust from sixteen up to be more competitive. You'll want to put that together so we can submit it, and have a financial model for 2009.

Chief Nicaastro said, while we are on a personnel issue, Mike Shippitka, our patrolman, has accepted a job in Arizona. He plans on leaving roughly the beginning of September. We'll be down a guy, but we do have our new Civil Service list posted, and we'd like to replace him as soon as possible, if we could.

Mayor Kurtz stated Mike notified me on 12:10 on Sunday morning that he was resigning.

Chairman Grendel asked how long he has been with us.

Chief Nicaastro replied about ten years. Comments were made that Mike was a good guy, one of our best.

Chief Nicaastro said, along with that, one of our part-time dispatchers has accepted a job in North Royalton full-time, and she started that yesterday. We have to figure out what to do with dispatch because keeping a part-time dispatcher is hard. Everybody needs dispatchers, and if we hire a young dispatcher and train them, if we don't hire them full-time they are going to find a job somewhere.

Mayor Kurtz said put together a grid of hours, what you fill with full-time in one color, what you need for part-time, the cost difference to add that part-time to full-time, and then how you would supplement that with part-time, so that Council can see a good analysis of why we want to go in that direction. The money we're putting into training is kept in the City, and like you said, we're not training to send them someplace else.

Chairman Grendel stated to Chief Nicaastro to report on the jailer and dispatcher situation in a Safety Committee Meeting later on in the year, and then we can go forward and present the Finance Committee with what we feel is best for you.

Chairman Grendel stated the only other thing I have, and the gentleman who emailed me is not here, is the discussion of the motorcycle racing issue on Brecksville Road. I've noticed a few,

particularly when they have that motorcycle night, but even other nights, they've been drag racing on Brecksville Road at certain times.

Chief Nicaastro said obviously leaving it up to general observation isn't doing it, so I'm going to assign some people specifically to that issue, maybe an hour a night, vary it, and obviously on Wednesdays.

Chairman Grendel said he has the name of the individual, Jim Martin, who lives at 7174 Brecksville Road, and as a safety issue, he doesn't want a catastrophe to happen there.

Mayor Kurtz asked about a couple that was going through the center of town, where she fell off the back. Did she get hurt?

Chief Nelson replied, not to any significance. Maybe a concussion, a lot of abrasions, scrapes.

Mayor Kurtz said they were coming northbound from Chestnut, she's on the back, and the witnesses from Dairy King stated she fell off the back, and when they got to her they thought she was dead, and here the report is that she's not that bad.

Chairman Grendel said that the one time he (Jim Martin) had emailed me, he said that they were doing wheelies on the back wheels.

Mayor Kurtz said that wheelies and noise, there are a couple of them on Wednesdays and Sundays. Can they be legal?

It was said that they must have a muffler; must have baffles. None of them have them in there.

Mayor Kurtz said there was one the other night on Rockside. I was at a restaurant outside, and when I heard that, it was absurd. On Wednesday nights I hear them going up Rockside. Those ninjas, I was coming home on 480 one night, and I could see these lights going up and down in my rearview mirror. All of sudden they are right along side of me, and they have girls on the back.

It was asked if the City had a decibel level.

Chief Nicaastro said we do, and the only way to use it to enforce the motorcycle ordinance is after the fact. When you cite the guy and then have him come in here and do a controlled test. We tried it even on trucks and semis, and we've had complaints. To set it up on the side of the road, number one you're dealing with ambient noise, which constantly fluctuates due to the traffic, and then you have to, well I don't know how you testify that this vehicle made this meter go up this much at this time. It's very hard, but we've used it here where we've cited people, and they want to contest it, and then we bring them in and do a control test and show that it's over the limit.

It was said that the only way you can do that is if you have something that goes over the end of the pipe, a recorder with a print out of it, and you get rid of the ambient noise, and then you can say at so many rpm this is the decibel allowable. That equipment has to be there, it's not rocket

science, and therefore you can show that they had violated this decibel level, and go from there, and you can do it at 35 mph, because 35 mph is the maximum speed through this City.

Mayor Kurtz stated are are a few other issues concerning jake brakes.

Chief Nicasastro said to do that in uncontrolled conditions though, is tough.

It was said that they tried it with SPCA for years now, and what everybody does is they have the meter sitting on a certain spot on the track, and you have to go through this track. They put a deflector on and pointed it away from the decibel meter, and go through. Well, it passes, and by the time you get over there to inspect them and say whatever, well it's not theirs.

Chief Nicasastro said if they don't have baffles in the muffler they can be cited, and realistically, if you hear that bike roar and pop, it's going to be over the legal limit. Just cite them, and if they want to contest it then put it on a machine.

Chairman Grendel asked if there were any other issues for the Committee. I'll make a motion to adjourn.

**Moved by Grendel, seconded by Narduzzi, to adjourn the Safety Committee Meeting.
Voice Vote: 3 yes/0 no; motion carried.**

There being no further business to discuss, the Safety Committee Meeting was adjourned at 6:35 p.m.

Gayle Rudary, Pro Tem Clerk of Council
