

MINUTES OF COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS
SEPTEMBER 8, 2009

Mayor Rothschild called the meeting to order at 7:30 p.m.

Roll Call: Present: Mrs. Adele H. Zucker
Ms. Frankie B. Goldberg
Mr. Steven D. Bullock
Mr. Peter R. Bernardo
Mr. Kevin Patrick Murphy
Mr. Frank Consolo
Mr. Steven Sims

Also Present: Clerk of Council Nancy E. English
Law Director Kenneth Fisher
Chief of Police Gary Stehlik
Fire Chief John Pitchler
Community Coordinator Walter Stinson
Service Director Christopher Vild
Building Commissioner David Menn
City Engineer Joseph R. Ciuni

Minutes of the regular meeting held on June 15, 2009

There were no corrections or additions to the minutes of June 15, 2009.

MOTION BY MRS. ZUCKER, SECONDED BY MR. BULLOCK to approve the minutes of the June 15, 2009 meeting. On roll call, all voted "aye."

Minutes of the special meeting held on June 29, 2009

There were no corrections or additions to the minutes of June 29, 2009.

MOTION BY MR. BULLOCK, SECONDED BY MRS. ZUCKER to approve the minutes of the June 29, 2009 meeting. On roll call, all voted "aye."

Comments from the Audience

Anita Kazarian, 3813 Claridge Oval, inquired as to when the University Affairs Committee of Council will give an update or status report on its findings relative to the meetings held with John Carroll University. Mr. Consolo responded that he will attempt to convene a meeting of the committee on September 30, 2009. Mr. Sims stated that there are no findings to report. In regard to the minutes of the committee, it was noted that some minutes are available and the remainder will be reconstructed from Mr. Consolo's notes.

Sarah Wilder, 3706 Meadowbrook Blvd., on behalf of her husband, Nathaniel Wilder, and herself, informed officials about problems they have experienced with a landscaping contractor and a water proofing contractor. Dr. Wilder requested that Council enact an ordinance that would mandate landscaping/lawn services contractors working in University Heights to obtain a permit and be bonded. She added that they should be required to meet the same guidelines and requirements as snow plowers and other contractors. Mayor Rothschild referred the matter to the Safety and Service & Utilities Committees of Council, which has the issue on their agendas.

Patrick O'Shaughnessy, 2624 Kerwick Rd., read a quote from Hideo Sasaki, founder of Sasaki Associates, the firm which developed John Carroll University's master plan. The quote states that "When a college or university engages in a program or pattern of buying land in its neighborhood, it may unwittingly become a contributor to the neighborhood's decline. Some people may purchase property as a speculative investment rather than as a place to live. This activity destabilizes the neighborhood. Most neighbors can live with a certain degree of institutional expansion, but they want an explicit understanding about how much the university is going to grow, what kind of growth it will be and where it will take place. To be good neighbors, to contribute to the quality of the neighborhood rather than to its decline, institutions must, in partnership with the community groups or town governments, set limits to their community encroachment, and then plan to live within those limits."

Mr. O'Shaughnessy stated that with this in mind, the residents created a "Blueprint for Success", which proposed the following four tenets: 1) that John Carroll University establish a footprint within which it can operate; 2) all homes falling outside of that footprint should be sold back to the general public, thus bringing stability back to the neighborhood; 3) in return, John Carroll University would be granted the zoning variances and permits necessary to facilitate its master plan; 4) a commission would be established with members of the community-at-large, the City and John Carroll University to provide a open means of communication among all parties and to oversee compliance of the university's master plan over the next twenty-five (25) years.

Mr. O'Shaughnessy applauded the University Affairs Committee for initiating action. However, he would like the committee to complete its work on the agenda and that the commission be established with equal numbers of representatives from the City, the university and the residents.

Law Director Kenneth J. Fisher mentioned that the "Blueprint for Success" was not adopted by the Planning Commission. Mr. Consolo stated that the committee is aware that it must formulate a response. He added that the University Affairs Committee does not have the power to enter into any type of agreement, but rather was formed to facilitate conversation. Mr. Consolo was hopeful the committee will make recommendations to progress forward.

Mr. O'Shaughnessy stated that the residents are seeking stability for the area and University Heights as a whole well into the future. Mayor Rothschild thanked the residents for their patience.

Michael Kirincic, 4206 Carroll Blvd., expressed his opinion that the a commitment to the formation of a commission and the tenets outlined above is the only way the City can resolve the issues with John Carroll University. Mr. Kirincic stated that fifty-four (54) people (75% of residents in the neighborhood) signed a petition opposing the university's application to use 4070 Carroll Blvd. as administrative offices for the ROTC. He stated that the residents do not want any more one on one deals with the university. Mr. Kirincic requested that the University Affairs Committee continues its work. He added that the economic impact to JCU land banking and block busting is huge and will grow larger in the future and would ultimately lead to erosion. Mr. Kirincic asked the City to uphold the law with respect to violations of the zoning codes by John Carroll University. He added that the residents still have not received a ruling on JCU's other potential violations of turning the neighborhood into a corporate housing complex. Mr. Kirincic requested that the process be brought back to the forefront and the issues be resolved for the good of the City, for the good of the residents and for the good of John Carroll University.

Mr. Consolo stated that the University Affairs Committee is going to try to meet at the end of the month. He mentioned that the committee cannot makeup for what happened several years ago, but will do its best to rectify the situation.

Agenda Items:

A. Ordinance No. 2009-46 Abating the special assessments for the Year 2010 on parcels within University Square and directing the Finance Director to file a report with the Cuyahoga County Auditor

Ordinance No. 2009-46 abated the special assessments for the public garage on certain parcels at University Square for the year 2010 and authorized the Director of Finance to file the Report on the Abatement of Special Assessments, dated September 2, 2009, with the Cuyahoga County Auditor on or before September 14, 2009.

Virginia Benjamin, attorney with Calfee, Halter & Griswold, the City's Bond Counsel, explained that the University Square public parking garage was financed through Tax Increment Financing (TIF) and the levying of special assessments with the understanding that the special assessments were to be collected only if the TIF revenues and other moneys are insufficient to pay the debt service on the Bonds. Ms. Benjamin stated that the Report on the Abatement of Special Assessments, issued by the administrator, shows that there are sufficient funds to pay debt service on the Bonds. Therefore, the special assessments are not needed and with the passage of this ordinance the special assessments will be abated.

Mr. Consolo inquired if the value of the improvements at University Square has been or will be affected by the economy to the point where more money will be required. Ms. Benjamin replied that some of the parcels have been reduced in value, but there is still sufficient revenues to pay the debt service. However, she added that it is possible the property values may be reduced to a level where the special assessments would need to be collected in the future.

Mr. Fisher explained that the City does not own the garage or any of the structures at University Square. He noted that the public parking garage is owned by the Cleveland-Cuyahoga County Port Authority. He added that the City administers the TIF with respect to payments in lieu of taxes. Mr. Fisher stated that the liability to the City is zero, and the positive note is that everything is current. Mr. Sims reiterated that the City does not currently have nor will have in the future any liability related to the garage. Ms. Benjamin concurred.

MOTION BY MR. SIMS, SECONDED BY MR. BERNARDO to approve the passage of Ordinance No. 2009-46 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

B. Planning Commission Recommendation:

Bellefaire JCB, 22001 Fairmount Blvd., application for renovations to building “V” and Building “K” and to change the use group classification of Building “V” from R-2 to R-4 and change the use group classification of the east side of Building “K” from R-2 to E, Educational; the use group classification of the west side of Building “K” will remain R-2.

At its meeting on August 25, 2009, the Planning Commission passed the following motion with respect to the application from Bellefaire JCB:

“MOTION BY MR. REICHEK, SECONDED BY MR. BOLOTIN to recommend to Council the approval of the application of Bellefaire JCB, 22001 Fairmount Blvd., to change the use group classification of Building “V” from R-2 to R-4 and to change the use group classification of the east side of Building “K” from R-2 to E, Educational; the use group classification of the west side of Building “K” will remain R-2 as presented on Drawing A0.11, dated 7/14/2009, Drawing ID1.00, dated 7/14/2009, Drawing ID1.01, dated 7/14/2009 and Drawing ID1.02, dated 7/14/2009. On roll call, all voted ‘aye.’”

Present representing Bellefaire JCB were Ms. Betty Schieferstein, director of Administrative Services, and Mr. Jeffrey Lox, clinical director. Mr. Lox stated that Bellefaire is proposing a change in use group classification codes for two buildings “V” and “K”. Building “V” has historically been used as a two-story, apartment-style staff residence. Building “K” currently houses two programs: a residential treatment program on the west side of the building while the east side of the building houses the current transitional living program for young adults ages 17-22, who are learning independent living skills.

Mr. Lox stated that Bellefaire is proposing to move the transitional living program from the east side of Building “K” to the second floor of building “V”; thereby changing the use group classification of Building “V” from R-2 (residential occupancies containing sleeping units or more than three dwelling units where the occupants are primarily permanent in nature in structures with shared means of egress) to R-4 (residential occupancies for buildings arranged for occupancy as residential care/assisted living facilities including more than five, but not more than 16 occupants, excluding staff). Mr. Lox stated that a new program is being proposed for the first floor of Building “V” for young adults with autism focusing on pre-independent and independent living skills, which would also require a use classification change to R-4. He noted that there are sixteen (16) apartments in Building “V”, eight on each floor. Mr. Lox further requested to change the use classification code of the east side of Building “K” to E, educational, in order to become additional classrooms for the Monarch School, the day school for children with autism.

Mayor Rothschild stated that Bellefaire has been nationally recognized for its autism program. She also noted that the proposed changes would be inside of the Bellefaire campus zone.

MOTION BY MRS. ZUCKER, SECONDED BY MS. GOLDBERG to accept the recommendation of the Planning Commission with respect to the application of Bellefaire JCB. On roll call, all voted “aye.”

C. Motion to accept bid for the demolition of the house and attached garage located at 2603 Ashurst Road

City Engineer Joseph R. Ciuni reported that four (4) bids were received on August 19, 2009 to demolish the house and garage at 2603 Ashurst Road. The low bid was submitted by ABC Construction in the amount of \$7,400. Mr. Ciuni stated that since he has not worked with ABC Construction, he secured references. The company received high recommendations.

Mr. Ciuni recommended that the City enter into a contract with ABC Construction for the 2603 Ashurst Road House and Garage Demolition project as the lowest and best bidder. He noted that the specifications required the house to be removed within thirty (30) days from notice to proceed.

Mr. Fisher advised that in accordance with Section 1242.14(b)(4) of the Codified Ordinances, the Council must determine that the structure is a safety hazard or public nuisance prior to a demolition permit being issued. He asked Mr. Ciuni to make a presentation as to the condition of the structure as a safety hazard or public nuisance. Mr. Ciuni responded that the house at 2603 Ashurst is structurally sound and not a safety hazard, but it is a public nuisance. Mr. Consolo stated that the garage is a safety hazard because of the collapsed roof.

MOTION BY MR. CONSOLO, SECONDED BY MR. BERNARDO that a demolition permit be granted based on the fact that the residence at 2603 Ashurst Road is a public nuisance and safety hazard and should be demolished. On roll call, all voted "aye."

MOTION BY MR. CONSOLO, SECONDED BY MS. GOLDBERG to approve the bid of ABC Construction to demolish 2603 Ashurst Road as the lowest and best bid.

Mr. Sims stated that he will join the Council in approving the motion to demolish the house at 2603 Ashurst Road, but expressed his concern with respect to the demolishing property in the city and setting a precedence of razing a house which has been declared to be structurally sound. He noted that the matter should not be taken lightly while ensuring that a public nuisance exist. Mayor Rothschild stated that she does not believe a precedence is being set because each case is evaluated on its own merits.

On roll call on the motion to approve the bid of ABC Construction, all voted "aye."

D. Motion authorizing construction documents to be prepared and to advertise for bidsto resurface Bushnell Road

Mr. Ciuni reported that the water main project is proceeding and anticipated to be completed in early October 2009. He noted that the City received a \$100,000 CDBG grant award for the repaving of Bushnell Road between Warrensville Center Road and Wrenford Road. The total project cost was estimated at \$155,754.

Mr. Ciuni requested authorization to prepare the specifications and advertise for bids to resurface Bushnell Road in order to complete the street construction this season after the water main work is finished. He added that if the water main project is not completed in sufficient time, the project could be re-bid or the contractor could be asked to hold the bid price until the Spring of 2010.

MOTION BY MRS. ZUCKER, SECONDED BY MR. BULLOCK to authorize construction documents to be prepared and to advertise for bids for the resurfacing of Bushnell Road. On roll call, all voted "aye."

E. Motion to approve payment to the City of Shaker Heights for the 1st half 2009 Shaker Heights Municipal Court operations

MOTION BY MR. BERNARDO, SECONDED BY MR. BULLOCK to approve payment to the City of Shaker Heights for the City's share of Shaker Heights Municipal Court operations for the 1st half of 2009 in the amount of \$66,162. On roll call, all voted "aye."

F. Motion authorizing an expenditure for the mailing of proposed Charter amendments to the registered voters of the city

Mayor Rothschild reported that by State law the proposed Charter amendments which are to appear on the General Election ballot on November 3, 2009 must be mailed to all registered voters of the city.

Vice Mayor Zucker inquired if residents will get the mailing before the absentee ballots are sent out. Mr. Fisher stated he will check with the Board of Elections as to when the absentee ballots will be sent out. However, he added that if the expenditure is approved, the mailing would go out shortly.

Mr. Fisher explained that in accordance with the Ohio Revised Code Section 731.211 notice of the proposed amendments must be given in one of two ways: mailed to each registered voter of the city or the full text of the proposed amendments must be published once a week for two consecutive weeks in a newspaper of general circulation within the city. He noted that mailing is a more economical method of notification.

He mentioned that the cost of publication in The Plain Dealer was estimated at \$29,341.20. It was noted that the cost of contracting out the job was quoted at \$16,492.00 while the cost of copying and mailing the notice in house would not exceed \$12,000.

Mr. Consolo inquired if one notice could be sent to the household for all registered voters within that household. Mr. Fisher stated that the law states each elector, but he will research to determine if there is a way to mail to each household instead of each elector.

MOTION BY MR. SIMS, SECONDED BY MS. GOLDBERG to authorize an expenditure in an amount not to exceed \$12,000 for the first-class mailing of the proposed Charter amendments to every registered voter of the City or alternatively every household, depending on the requirements of the Ohio Revised Code. On roll call, all voted "aye."

G. Report on Transportation Services for Senior Citizens

Mayor Rothschild reported that the Council had been given a copy of the report with investigations and possible options. She stated that the conclusion of the report was that the Senior Transportation Connection (STC) remains the best option because the company's only focus is senior transportation and STC has the proper equipment to service the disabled. Mayor Rothschild recommended continuing the service as is.

Mr. Sims requested a follow-up with additional information in another report. Mr. Sims stated that he is not interested in removing the service for the residents, but more information is needed to confirm if thirty (30) households and forty (40) individuals are utilizing the service. After the information is received then consideration should be given to what to do when the City is confronted with a contract in the future because other alternatives may be available. Mr. Sims stated that he will follow-up in writing to the Mayor as to what information would be needed.

Community Coordinator Walter Stinson stated that one hundred thirty (130) residents are registered for the senior transportation services. He noted that although all 130 do not use the service everyday, the report indicates that 50 to 60 people repeatedly use the service and all 130 would like it available if they desire to use it.

Mr. Consolo stated that the report was formulated by responses to telephone calls. He suggested that a more formal process such as written requests for proposals be used so that every company can be compared equally. Mr. Stinson stated that he included in the report the proposals received for all ten (10) companies who responded to his request.

Vice Mayor Zucker stated that Mr. Stinson prepared the report at the request of Council during the June 29, 2009 special meeting.

Ms. Goldberg requested a monthly status report as to how many seniors are using the service during the fall and winter months as well as information on the participants' satisfaction with the STC service. Mr. Stinson stated STC makes monthly reports on the use of the van available, and he will provide them to the Council when received.

H. Ordinance No. 2009-42 To enter into an agreement with the City of Bedford Heights for supervising, confining and boarding University Heights prisoners in Bedford Heights City Jail

Ordinance No. 2009-42 authorizes the Mayor to enter into an agreement with the City of Bedford Heights for supervising, confining and boarding University Heights prisoners in the Bedford Heights City Jail. Chief of Police Gary Stehlik reported that he maintains the contract with Bedford Heights jail as a back-up to take the overflow because the City jail is a 12-day facility. He noted the contract charge was reduced from \$85 per day to \$75 per day in order to stay competitive with other jail facilities.

Mr. Bullock stated that the new sheriff's new policy has opened space in suburban jails. Chief Stehlik stated that he and Shaker Heights Municipal Court Judge K. J. Montgomery have a meeting scheduled downtown to discuss central booking.

Mr. Murphy inquired as to the cost to house a prisoner in the city jail. Chief Stehlik replied that the cost is comparable with the City of Bedford Heights. Mr. Murphy inquired if there may be a time in the future that a city jail is not needed because of central booking. Chief Stehlik responded that the department would still need to have a holding facility.

MOTION BY MR. BULLOCK, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2009-46 as an emergency measure. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."

I. Ordinance No. 2009-43 Establishing the compensation of the Mayor for the term beginning January 1, 2010 (1st Reading)

Ordinance No. 2009-43 establishes the annual compensation of the Mayor at \$33,750 for the term beginning January 1, 2010 through December 31, 2013.

Mayor Rothschild mentioned that the Mayor was not granted an increase even though the Council members were given a increase.

Mr. Sims, in speaking to both Ordinance No. 2009-43 and Ordinance No. 2009-44, stated that Council is required by the Charter to fix the compensation of the Mayor and Council by November 1, 2009. He stated that the compensation for the Council members is not being raised because Ordinance No. 2005-15, which was passed on April 18, 2005, set the salaries for Council members for 2008 through 2011 and that legislation cannot be changed. However, Ordinance No. 2009-44 will fix the salary for 2012 and 2013 at the same level as 2011 at \$8,900 annually.

Mayor Rothschild expressed her opinion that it is unfair to keep the Mayor's salary the same over the next four-year term.

Ms. Goldberg stated that she feels Ordinance No. 2005-15 should be repealed, but, noted that it legally cannot. She stated that the dedication and work load of the Council members are deserving of an increase; however, the current economic conditions and future fiscal forecasting cannot justify pay raises at this time. Ms. Goldberg stated that if she is re-elected in 2010, she will cap her salary at \$8,500 and forego any salary increase above \$8,500. She also urged the other members of Council to do the same.

Ordinance No. 2009-43 was placed on first reading. There were no objections.

J. Ordinance No. 2009-44 Establishing the compensation of the members of Council for the term beginning January 1, 2010 (1st Reading)

Ordinance No. 2009-44 establishes the annual compensation of Council members for the term beginning January 1, 2010 at the rate of \$8,700.00, which consistent with Ordinance No. 2005-15. Starting January 1, 2011, the annual salary shall be increased to \$8,900.00, which is also consistent with Ordinance No. 2005-15. For the years beginning January 1, 2012 and January 1, 2013, the annual salary shall be fixed at \$8,900.00.

Ordinance No. 2009-44 was placed on first reading. There were no objections.

K. Ordinance No. 2009-45 Levying special assessments for providing city services in the removal of nuisance conditions at various locations throughout the city

Ordinance No. 2009-45 levies special assessments for providing city services in the removal of nuisance conditions such as grass cutting at sixty-eight (68) locations throughout city, totaling \$30,660. The ordinance will be filed with the County Auditor no later than September 14, 2009.

MOTION BY MRS. ZUCKER, SECONDED BY MR. BULLOCK to approve the passage of Ordinance No. 2009-45 as an emergency measure. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."

L. Ordinance No. 2009-47 Amending Section 409.09(a)(1)(c) of the Codified Ordinances to increase storage and towing charges in private tow-away zones (1st Reading)

Ordinance No. 2009-47 amends Section 409.09(a)(1)(c) of the Codified Ordinances by increasing storage and towing charges in private tow-away zones. Chief Stehlik stated that the United Towing requested an increase in charges.

Ordinance No. 2009-47 was placed on first reading. There were no objections.

M. Ordinance No. 2009-48 Amending 409.10(c) of the Codified Ordinances to increase removal and storage charges (1st Reading)

Ordinance No. 2009-48 amends Section 409.10(c) of the Codified Ordinances of the City of University Heights by increasing removal and storage charges in all areas except private tow-away zones.

Ordinance No. 2009-48 was placed on first reading. There were no objections.

N. Motion to hold an executive session immediately following this meeting for the purpose of discussing personnel, litigation and real estate matters

An executive session was not required.

Directors' Reports:

Fire Chief John Pitchler stated that the firefighters collected \$3,400 over the Labor Day weekend for the Muscular Dystrophy Association.

Chief Pitchler reported that the CityWatch system was upgraded to the generation II software. He mentioned that the Cities of Lyndhurst and South Euclid also upgraded their software. Therefore, the three cities can use each other's phone lines and it will operate more efficiently than the generation I software. Chief Pitchler noted that key individuals from each department will be trained on the new system.

Chief Pitchler reported that the smoke detector program was initiated on July 31, 2009 and since that time 156 smoke detectors have been installed. He noted that smoke detector consultations are performed on Tuesdays by either Executive Captain Steve Ineman or himself. He also mentioned that the Fire Department and the Building Department are working as a team through the point of sale inspections to ensure that smoke detectors are installed properly. Vice Mayor Zucker suggested that an article be placed in the City's newsletter regarding the program. Chief Pitchler stated that he will also have information published in the Sun Press. Mr. Bernardo commended the Fire Department for initiating the program. Mr. Bullock stated that there is the ongoing challenge is for resident to replace the batteries in the smoke detectors. Mayor Rothschild mentioned that signs are posted twice a year to remind the public to change the batteries and now the CityWatch system can also be used.

Chief Pitchler also reported that the resident assistances at John Carroll University have been trained in the proper use of fire extinguishers.

Chief of Police Gary Stehlik reported that Ptl. Charles Darrah has returned from service in the U.S. Army in Afghanistan and will return to work this month bringing the department back up to full complement.

Building Commissioner David Menn reported that information on smoke detectors is in the point of sale packet.

Mr. Menn reported that Radio Shack has opened at Cedar Center, Jerusalem Imports opened at University Corners and Dollar Tree will be opening soon at Cedar Center.

Mr. Menn reported that 600 new exterior inspections have been completed this year and 1,200 re-inspections have been made throughout the city.

Mayor Rothschild stated that there will be a meeting on September 16, 2009 with the County regarding funding for various programs such as the Exterior Maintenance Program. Mr. Menn mentioned that the Exterior Maintenance Program was terminated three years ago, which hurt the city. It was also noted that they will also discuss the possibility of expanding the CDBG census tract for the city.

Community Coordinator Walter Stinson reported that twelve (12) band concerts were held during the summer concert series at Wiley Middle School and forty (40) block parties were held during the months of June through September.

Committee Reports:

University Affairs Committee Chairman Frank Consolo reported that he would like to schedule a committee meeting for Wednesday, September 30, 2009 at John Carroll University. He requested that the committee members advise him of their availability.

Civic Information Committee Chairman Frank Consolo reported that The Loyola Group sent out the Request for Proposals for IT services to nine (9) vendors on August 31, 2009. The proposals are due back by 3:00 p.m. on September 25, 2009.

Mr. Consolo stated that at the last meeting he requested a copy of the audit report. Chief Stehlik stated that the audit report is finished, but it is now in the hands of the State Auditor and it will not be released until the State is finished with its review. Mr. Consolo requested to meet with Mr. Zupka of James G. Zupka, C.P.A. He noted that in a audit report dated June 25, 2008 indicated that there were unreconciled payroll balances for the year 2007 in the amount of \$14,000. Mayor Rothschild stated that the report has not been released. Mr. Consolo stated that the Council has to be appraised of what is going on and requested that the independent auditor meet with the Council. Mr. Fisher stated that the audit document is part of an ongoing investigation of a former city employee and at a point in time that information will become public. Mr. Consolo inquired as to why the Council was not apprised of the problem in 2008 in order to correct the situation. There was discussion as to why the Council did not get the report, which no one could answer at this time due to the ongoing investigation as explained by Mayor Rothschild.

Finance Committee Chairman Steven Sims reported that the Finance Committee met on August 31, 2009. There were four agenda items, two of which resulted in Ordinance No. 2009-43 and Ordinance No. 2009-44 being introduced. There was a brief update from the Finance Director, in which he reported that the City is on track with revenue collection and is holding the line on expenditures. He does not foresee any real budgetary problems. There was discussion regarding a temporary budget for 2010. He also noted that the Mr. Bernardo gave a short report on the Civic Awards Program being planned.

Governmental Affairs Committee Chairman Kevin Patrick Murphy reported that the Call To Action grants which were being considered was awarded to cities on the west side for regional fire. He mentioned that the outcome should be watched as a model because cost savings could be the benefit.

Vice Mayor Zucker asked Mr. Murphy if he intends to consider the pending political sign legislation which is on his agenda since it is an election year. Mr. Murphy stated that the committee considered the legislation six months ago and the decided not to take action at that time because of the legal ramifications. Mr. Fisher mentioned that the City's current code provisions regarding political signs are unconstitutional because the City cannot place a time limitation on the posting of the sign. Mr. Consolo stated that because of the number of candidates running, he asked all local political candidates to abide by the existing ordinance even though it is not enforceable. Chief Stehlik advised that political signs cannot be posted in the public right-of-way.

Recreation Committee Chairman Frankie B. Goldberg reported that the City did not receive the CDBG grant for the Purvis Park Tennis Courts Rehabilitation Project. Mr. Ciuni noted that the funding was part of the stimulus package and only two grants were awarded.

Ms. Goldberg inquired as to when the rubbish study will be submitted. Mayor Rothschild stated that the study should be received within the next two weeks. Ms. Goldberg requested that GT Environmental meet with Council on the study. Mayor Rothschild agreed.

Mayor Rothschild reported that the new superintendent of the Cleveland Heights-University Heights City School District will make a presentation at the September 21, 2009 Council meeting.

Ms. Goldberg inquired about the Cushman scooter which caught on fire. Service Director Christopher Vild stated that the scooter will be repaired and he will respond to Mr. Sims e-mail inquiry regarding the fleet.

Safety Committee Chairman Steven D. Bullock reported that the committee will consider the landscaper issue at its next meeting.

Service and Utilities Committee Chairman Adele H. Zucker reported that once the rubbish study is received a Committee of the Whole meeting will be scheduled for GT Consultants to make a presentation and answer any questions.

There being no further business to discuss, the meeting was adjourned.

Mayor Beryl E. Rothschild

Nancy E. English, Clerk of Council