

CITY OF UNIVERSITY HEIGHTS  
MINUTES OF CHARTER REVIEW COMMISSION MEETING  
DECEMBER 23, 2008

In the absence of Chairman Harvey Morrison, Vice Chairman Luke McConville called the meeting to order at 7:35 p.m.

**A. ROLL CALL**

Present: Dr. Roderick H. Adams, Jr. (not at roll call)  
Mr. F. Michael Boyle (not at roll call)  
Mr. Jason Patrick Ferrante  
Mr. Luke McConville  
Mr. Robert McClintock  
Mr. Paul M. Miller  
Mrs. Susan Pardee  
Mr. Joseph M. Shafran (not at roll call)  
Mr. Mark N. Wiseman

Absent: Mr. Simon A. Carroll  
Mr. Harvey S. Morrison

Also Present: Clerk of Council Nancy E. English  
City Engineer Joseph R. Ciuni  
Service Director Christopher Vild  
Assistant Law Director Dennis Nevar

Mr. Dennis Nevar, assistant to the Law Director, administered the oath of office to newly appointed Commission member, Robert McClintock, who was appointed to fill the vacancy left by the resignation of Mrs. Debra Fink.

**B. APPROVAL OF AVAILABLE MEETING MINUTES**

There were no corrections or additions to the minutes of December 9, 2008.

**MOTION BY MRS. PARDEE, SECONDED BY MR. MILLER to approve the minutes of December 9, 2008 as presented. On roll call, all voted "aye."**

**C. DISCUSSION WITH THE City ENGINEER JOE CIUNI**

The Commission presented City Engineer Joseph R. Ciuni, Clerk of Council Nancy E. English and Service Director Christopher Vild with the following questions in advance of the meeting:

1. How many employees are in the your Department? Describe all of their duties.
2. Who is your Direct Report in the City?
3. Which depts./dept. heads do you interact with on a daily basis?
4. What are the major challenges facing your department/the City?
5. What are the most critical issues facing Univ. Hts., and is there anything that requires immediate action?
6. Where do you see your department/City in the next 5-10 years?
7. Where do you see the possibility for more efficient operations w/in Univ. Hts. Government?

and other possible areas of questioning:

Accountability

Performance and performance measurement

Recommendation related to increasing efficiency in your specific role

City Engineer Joseph R. Ciuni answered the questions in writing, which are attached hereto and made part of this record as "Exhibit A."

Mr. Ciuni explained that he is a registered professional engineer and professional surveyor with the GPD Group (formerly Adache, Ciuni, Lynn). Mr. Ciuni stated that he is a consultant to the University Heights and that he is appointed by the Mayor and approved by Council. He noted that a City the size of University Heights does not require a full-time engineer on staff. He stated that there are 270 employees in the GPD Group with various expertise in public works projects such as road resurfacing, road reconstruction, water lines and sewers repairs. GPD Group also has architects, electrical engineers and mechanical engineers on staff as well as survey crews and inspectors.

Mr. Ciuni reviewed his written responses (see attachment) and then he took questions from the Commission members. Mr. Ciuni noted that he did not have an opinion on the possibility of more efficient operations. He noted that University Heights runs as efficiently as any of the other cities to which he serves as a consultant. Mr. Ciuni also explained that all cities are facing a financial crunch and it is part of his job to find funding for the various infrastructure projects. He mentioned that he answers to the Council and also the residents with respect to backyard drainage and basement flooding issues.

Mrs. Pardee inquired as to how Mr. Ciuni charges the City for his services. Mr. Ciuni replied that he is on an hourly rate as needed and a retainer which covers attendance at meetings and plan reviews which cannot be charged back to a developer or business. Mrs. Pardee inquired as to how much infrastructure in the city has been replaced. Mr. Ciuni responded that approximately 5% has been replaced. He noted that University Heights has signed an agreement with the Cleveland Water Department (CWD) and all current and future waterline replacements will be paid for by the CWD. In response to a question, Mr. Ciuni briefly explained the methodology used by the CWD on waterline repairs. He reported that Cleveland Water Department has committed to spending \$10 million a year for the next five (5) years in the cities that have signed agreements. University Heights received four (4) projects in 2008.

Mr. Ciuni stated that he updates the Mayor and Council with a five-year capital plan which includes a rating of the streets every year, and he advises them which streets should be resurfaced in a given year. He does the same with sewers and water lines as well. Mr. Ciuni also noted that most of the traffic signals in the city have been replaced in conjunction with resurfacing projects.

Dr. Adams inquired if Mr. Ciuni oversees construction of new homes. Mr. Ciuni responded that the Building Department oversees new home construction. However, he does review the site plan for grading and draining of the lot and how that drainage flows into the sewer system.

Mr. McConville inquired if Mr. Ciuni interacts with the administration on economic development. Mr. Ciuni replied that he does not interact with the developers. His duties are restricted to plan review.

Mr. Ciuni submitted a five-year capital plan, dated November 7, 2008, which is attached hereto and made part of this record as "Exhibit B."

**D. DISCUSSION WITH CLERK OF COUNCIL NANCY ENGLISH**

Clerk of Council Nancy English answered the Commission's questions in writing, which are attached hereto and made part of this record as "Exhibit C." Ms. English reviewed her responses and took questions from the Commission members.

Mr. Wiseman inquired if there are plans to switch to electronic storage for the City's permanent records. Ms. English replied that Laserfiche digital scanning software and equipment are included in her five-year capital plan for purchase in 2009. This will allow permanent documents to be available for retrieval purposes and then the permanent hard copies can be moved to an off-site storage facility.

Mr. McConville inquired if the Clerk's job is more difficult because the position straddles the Legislative Department and Administrative Department. Ms. English replied that it has not been a problem because she does not get involved in the politics, she treats everyone the same, and she does the best possible job for everyone.

Mrs. Pardee asked Ms. English if the Council evaluates her job performance with a written evaluation. Ms. English responded that the Council has never given her a written the evaluation. Mrs. Pardee also inquired if the City does goal-setting. Ms. English replied that the City sets its goals through preparation of a five-year projection of the budget, which is updated annually. Mrs. Pardee also inquired if the job functions of the Clerk of Council are similar in other cities. Ms. English responded that in most cities the Clerk of Council's job functions deal specifically with the Council. She added that in some cities the Clerk of Council and Finance Director are incorporated into one position.

Mr. Boyle inquired if the Clerk has taken bids for the storage of permanent City records. Ms. English responded that she will not look into moving the records off-site until they have been stored electronically. This process should take place in 2009.

Mr. McConville inquired as to the authority the Clerk has over the administrative staff. Ms. English replied that she has the authority to hire and fire the administrative staff. She mentioned that currently the Administration Department has been down one full-time secretary and one part-time clerk since 2005.

In response to a question raised, Ms. English noted that she has been a resident of University Heights since 1992. Councilwoman Frankie Goldberg commented about the quality of work produced by Ms. English in a very confined office space. She suggested that the Commission members tour the office. Mr. McConville stated that everyone can agree on the dedication and competent service that Ms. English consistently applies to her job. Ms. English was thanked for her service.

**E. DISCUSSION WITH SERVICE SUPERINTENDENT CHRIS VILD**

Service Director Christopher Vild answered the Commission's questions in writing, which are attached hereto and made part of this record as "Exhibit D." Mr. Vild reviewed his answers and took questions from the Commission members.

Mrs. Pardee inquired if there has been an increase in nuisance abatements (landscape maintenance). Mr. Vild replied that there has been a significant increase. There were approximately 50 homes abated during 2008 with the majority being foreclosed properties.

Mr. Vild mentioned that maintenance of nuisance abatement properties has been contracted out. But the City does not pay any money out of pocket since the property owner is assessed on property taxes for the service. He added the contractor is paid once the City has received funds collected on the property. There was also discussion of planting trees on tree lawns. Mr. Vild mentioned that University Heights has been designated a Tree City USA for 31 years.

Dr. Adams asked about the change in rubbish collection from five days a week down to four days a week. Mr. Vild replied that the change has saved the City between \$60,000-\$70,000 per year. He added that reducing rubbish collection to four days a week allows an extra day for other services. Mr. Miller commended the rubbish crews and other Service Department personnel on their job performance.

Mr. Miller also commented about the new road salting policy. Mr. Vild stated that due to the shortage of road salt this year, the City, along with other cities in Northeast Ohio, instituted a sensible salting policy, which entails salting main streets, hills and intersections only. However, all streets will continue to be plowed. Mr. Miller inquired if the City has considered contracting out snow plowing. Mr. Vild replied that outsourcing snow plowing has not been considered. There was also discussion about how decisions are made as to when the streets are plowed.

Mr. McConville inquired as to the procedures regarding grass abatement. Mr. Vild explained that the abatement procedure goes through the Building Department according to specific specifications. If the property owner does not take care of the property within a specified amount of time, than the Service Director is given a notice to abate and the contractor is notified to abate property. Some properties are maintained on what is called a "seasonal abatement," which is attended to once every two weeks.

Mr. McClintock asked whose decision it was to contract out maintenance of nuisance abatements. Mr. Vild responded that it was a joint decision of the Mayor, Building Commissioner, Finance Director, and himself. Mr. McClintock also inquired if bench marking has been done to determine the cost effectiveness of contracting out work. Mr. Vild replied that the City contracts out large removal and pruning of trees, tree planting, sewer and catch basin cleaning and filming of the main sewer lines. He stated that the City is in the process of hiring a consultant to perform a rubbish cost analysis.

Mr. Boyle inquired as to how salary raises are determined. Mr. Vild replied that the directors are usually given the same percentage raise as union employees. Mr. Boyle also asked if Mr. Vild's salary is comparable to other service directors in the area. Mr. Vild responded that he is the lowest paid service director in the area.

Mr. Ferrante inquired as to what collaborative efforts the City is currently involved in. Mr. Vild replied that the City jointly bid road repairs with the City of Shaker Heights and also with the City of South Euclid in previous years. He also noted that there is a joint rubbish contract with the Cities of Lyndhurst, Beachwood, Pepper Pike, Warrensville Heights, Moreland Hills, and Woodmere. Mr. Vild mentioned that the City is considering joint contracts for items that cities have in common such as jointly hiring contractors for catch basin cleaning or equipment purchases.

Mr. McConville inquired as to how disagreements between department heads get resolved. Mr. Vild responded that it is his philosophy to work out a compromise. However, in case of a safety related matter, he would defer to the Chief of Police, who is responsible for the safety of the motoring public. He added that if the dispute cannot be settled, it would be taken directly to the Mayor. Mr. Vild added that this has never happened as all directors get along.

Community Coordinator Walter Stinson mentioned that he provided the Commission members with his written responses to the questions and will be at the meeting on January 13, 2009 to make his presentation.

**F. ADDRESS QUESTIONS/COMMENTS FROM ATTENDING CITIZENS**

Vice Mayor Adele H. Zucker mentioned that the City also cooperates with the Cities of South Euclid and Richmond Heights for animal control services which also saves the City money.

Mayor Beryl E. Rothschild passed out her written comments which she presented at the Charter Review Commission meeting of November 11, 2008. Mayor Rothschild stated that the City has a very dedicated staff, who all do more than one job, and that they give their jobs their all. She added that all the directors were hired with the consent of previous Councils. She also noted that University Heights is a small City and all directors report to her because she is the chief executive officer of the City.

Because of comments at a previous meeting, Mayor Rothschild clarified that the City is required to have a new master plan completed every 10 years in order to qualify for Community Development Block Grant funds. She also noted that it is true the facilities are outdated, and the City has commissioned a Needs Assessment Study of the facilities which is under advisement by the City Council at this time.

Steven D. Bennett, 3761 Hillbrook Rd., stated that the City employees work as a team. Mr. Bennett noted that another area of cooperation could be a joint regional records facility for permanent record keeping purposes.

Mr. Wiseman stated that it is not the Commission's charge to decide whether or not, the City needs the City Manager. Nor is it the Commission's charge to decide the staffing of each department. He noted that the Commission has taken this time to learn how the City operates. Mr. Wiseman stated that the Commission's charge is to decide if the Charter needs to be changed and how it needs to be changed.

Mr. Boyle agreed that learning from the elected and appointed officials helps the Commission to understand how the City operates and this learning experience will help the Commission to make an informed decision. He also agreed that the directors do a good job for the City. But, he added that if nothing changes, the City will fall into a negative balance. Mr. Boyle mentioned that he does not know if the City Manager is needed or not. But he feels there needs to be a way to keep the City in the black.

Mr. Miller stated that the Law Director advised the Commission that it should consider the form of government as a threshold issue. He noted that much of what has been discussed thus far is not in the Commission's purview. Mr. Miller indicated that he does not agree that the City is being operated in an inefficient manner, rather there is a problem in relationship to available funds. He added that this condition may get worse because everything is more expensive. Mr. Miller added that just because the financial condition is critical at this moment does not mean that the form of government is wrong and needs to be changed. Mr. Miller also noted that maybe a part-time Mayor and a part-time person to help bring in funds and bring new insight as to how things might be done a little differently is what the City might need.

**G. ADJOURNMENT**

**MOTION BY MR. FERRANTE, SECONDED BY MRS. PARDEE to adjourn the meeting. On roll call, all voted “aye.”**

The meeting adjourned at 9:00 p.m.

The next meeting will be held on Tuesday, January 13, 2009 at 7:30 p.m. in City Hall Council Chambers.

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Harvey S. Morrison, Chairman

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Jason Patrick Ferrante, Secretary