

MINUTES OF COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS
APRIL 19, 2010

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

Roll Call: Present: Ms. Frankie B. Goldberg
Mr. Steven D. Bullock
Mr. Kevin Patrick Murphy
Mr. Frank Consolo
Mr. Steven Sims
Mrs. Susan D. Pardee

Absent: Mr. Phillip Ertel

Also Present: Clerk of Council Nancy E. English
Acting Law Director Dennis Nevar
Finance Director Jennifer L. Esarey
Chief of Police Gary Stehlik
Fire Chief John Pitchler
Building Commissioner David Menn
Service Director Christopher Vild
City Engineer Joseph R. Ciuni

MOTION BY MR. SIMS, SECONDED BY MS. GOLDBERG to excuse the absence of Mr. Ertel. On roll call, all voted “aye.”

Pledge of Allegiance

Minutes of the regular meeting held on April 5, 2010

There were no corrections or additions to the minutes of the April 5, 2010 regular meeting.

MOTION BY MRS. PARDEE, SECONDED BY MR. BULLOCK to approve the minutes of the regular meeting held April 5, 2010. On roll call, all voted “aye,” except for Mr. Sims and Ms. Goldberg, who “passed.”

Comments from the Audience:

Paul Miller, 2370 Charney Road, in regard to requiring three quotes for the repair of rubbish truck 21-10, proposed that an ordinance be passed requiring that anything over a certain dollar amount require a three quote/bid process. That way all directors will know the rules. Mr. Miller also stated that the garbage trucks are not very pleasing to the eye. He suggested that the trucks be sandblasted and painted.

Terry Killeen, Manager, External Affairs, FirstEnergy, introduced himself as the City’s new local representative replacing Darlene Johnson, who retired. Mr. Killeen requested that residents be encouraged to call the outage line at 888-LIGHTS so that FirstEnergy will know the extent and cause of the outages. Councilman Sims mentioned that there have been several outages in University Heights over the last two weeks. Chief of Police Gary Stehlik noted that the outage in the east side of the city was caused by a blown transformer in South Euclid. Councilman Bullock stated that he has the specific times of the outages and will forward the information to Mr. Killeen.

Pat Baskins, 2177 Jackson Blvd., requested that the Council make a decision about the unsightly house at 2240 Jackson Blvd. which has been boarded up for two years.

Kathleen Falbo, 2238 Jackson Blvd., stated that she lives next door to 2240 Jackson Boulevard. She mentioned that the house has been broken into and copper piping stolen from the basement. Mrs. Falbo was concerned for her safety and the safety of the children in the neighborhood. She reiterated the need for something to be done to the house. Mrs. Falbo also mentioned that her husband sent correspondence to the Mayor regarding his concerns about the house.

Mayor Infeld stated that she received and a letter from Dr. Falbo, 2238 Jackson Blvd., and an email from Winifred Weizer, 2177 Jackson Blvd., regarding 2240 Jackson Boulevard.

Agenda Items:

A. Resolution No. 2010-27 A Resolution of Commendation for Firefighter/ Paramedic Robert Perko III

Mayor Infeld read and presented Resolution No. 2010-27 to Firefighter/Paramedic Robert Perko III for his efforts in researching and filing a FY 2009 Assistance to Firefighters Grant application which resulted in the award of a FEMA grant in the amount of \$275,000 to purchase a new fire pumper truck.

MOTION BY MR. BULLOCK, SECONDED BY MR. CONSOLO to approve the passage of Resolution No. 2010-27. On roll call, all voted "aye."

B. Resolution No. 2010-28 A Resolution of Commendation for Executive Captain Steve Ineman

Mayor Infeld read and presented Resolution No. 2010-28 to Executive Fire Captain Steve Ineman for his efforts in researching and filing a FY 2009 Assistance to Firefighters Grant Program - Fire Prevention and Safety Grant application which resulted in the award of a FEMA grant in the amount of \$81,888 to purchase state-of-the-art smoke detectors for city residents.

MOTION BY MR. BULLOCK, SECONDED BY MR. CONSOLO to approve the passage of Resolution No. 2010-28. On roll call, all voted "aye."

C. Ordinance No. 2010-25 To provide the issuance and sale of notes in anticipation of the issuance of bonds for various purposes

Ordinance No. 2010-25 provides for the issuance and sale of \$2,901,000 bond anticipation notes in anticipation of the issuance of bonds for various purposes. Ms. Virginia Benjamin, the City's bond counsel with Calfee, Halter and Griswold, reported that the new notes will be dated May 4, 2010 and the current bonds are due on May 5, 2010. Finance Director Jennifer L. Esarey announced that the Fiscal Officer's Certificates have been signed and are on file with the Clerk as required by law.

MOTION BY MR. SIMS, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2010-25 as an emergency measure. On roll call, suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."

D. Resolution No. 2010-26 Declaring the structure located at 2240 Jackson Blvd. to be a public nuisance

Resolution No. 2010-26 declares the structure located at 2240 Jackson Blvd. a public nuisance pursuant to Chapter 1442 of the Codified Ordinances in that it is in such a state of disrepair to be a hazard to the health, safety and welfare of the public and has become a blighting and deteriorating factor in the neighborhood and will impair and adversely affect the value of the neighboring properties.

Building Commissioner David Menn reported that there was a house fire at the property in 2008. The property owner was noticed to make repairs, but there has been no response. He confirmed that the house has been broken into and is a public nuisance.

Councilman Consolo agreed that the property meets the conditions set forth in the ordinances for being a nuisance and dangerous conditions.

MOTION BY MS. GOLDBERG, SECONDED BY MR. BULLOCK to approve the passage of Resolution No. 2010-26 as an emergency measure. On roll call, suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."

E. Motion to award the bid for the 2010 Catch Basin, Inlet, Sewer Cleaning & Televising Program

City Engineer Joseph R. Ciuni reported that bids were opened on April 5, 2010 for the 2010 Catch Basin, Inlet, Sewer Cleaning & Televising Program, which consist of cleaning approximately 350 catch basins each year for 2010 and 2011 at locations chosen by Service Director Christopher Vild. Three (3) bids were received.

The low bid was submitted by AAA Flexible Pipe in the amount of \$33,600.00. Mr. Ciuni recommended that the City enter into a contract with AAA Flexible Pipe for the 2010 Catch Basin, Inlet, Sewer Cleaning & Televising Program in the amount of \$33,600.00 as the lowest and best bid.

Councilman Sims expressed concerned about the bid amount submitted by AAA Flexible Pipe for heavy sewer cleaning as compared to the other bidders. Mr. Ciuni replied that AAA had the contract in past years and perhaps is not anticipating heavy cleaning, but he added that the contractor will be held to that bid price. Mr. Sims was concerned that some sewers may require heavy cleaning, but would not be recommended by the contractor because it is not profitable for the contractor. Mr. Vild stated that the contractor submits films to him so he will be able to verify the condition of the sewer lines, and he has the authority to request heavy cleaning. Mr. Sims reiterated that the price is a large discrepancy at \$.15 compared to the next lowest bid at \$1.25. He suggested that the city be conscience of that issue and press the contractors and/or use the City's own internal expertise to decide whether it is realistic and appropriate. Then based on the City's determination that heavy cleaning is needed, but not being done, the bid should tossed out because it is not actually the lowest bid.

Mr. Consolo stated that he looked at that matter in another way, noting that AAA has had the contract in past years and they know the sewers are being cleaned regularly so it would be unlikely that heavy cleaning will not be need. Therefore, he wanted to know if the other two companies that bid were put on notice that it is unlikely there would be blockages. Mr. Ciuni noted that the question was not asked of him during the bidding process.

MOTION BY MR. CONSOLO, SECONDED BY MR. BULLOCK to award the bid for the 2010 Catch Basin, Inlet, Sewer Cleaning & Televising Program to the lowest and best bidder, AAA Flexible Pipe Cleaning Corporation, in an amount not to exceed \$33,600.00. On roll call, all voted "aye."

F. Motion to award the bid for the 2010 Emergency Sewer Repairs

Mr. Ciuni reported that bids were opened on April 5, 2010 for the 2010 Emergency Sewer Repairs, which will provide construction services at various locations in the city as directed by Service Director Christopher Vild. Services will be provided to the City on an as needed basis for two (2) years 2010 and 2011. Six (6) bids were received. The low bid was submitted by Thomas A. Hall Excavating in the amount of \$127,800.00. Mr. Ciuni recommended that the City enter into a contract with Thomas A. Hall Excavating for the 2010 Emergency Sewer Repairs, in the amount of \$127,800.00, as the lowest and best bid.

MOTION BY MR. CONSOLO, SECONDED BY MR. SIMS to award the bid for the 2010 Emergency Sewer Repairs to the lowest and best bidder, Thomas A. Hall Excavating, in an amount not to exceed \$127,800.00. On roll call, all voted "aye."

Mr. Ciuni reported that bids will be opened on April 23, 2010 for the Ashurst Road & Barrington Road Waterline Replacement and the Dysart, Earley & Tyndall Roads Waterline Replacement. The scope of the projects will consist of replacing 6" waterlines with 8" waterlines and installing new service connections. Mr. Ciuni will present his recommendations for the waterline projects at the next Council meeting on May 3, 2010.

Mr. Ciuni also reported that the Bushnell Road Resurfacing Project started today, Monday, April 19, 2010. This will complete the waterline and repaving project started in 2009. The project should take 30 days to complete, weather permitting. Mr. Ciuni stated that a token amount of curbs were included in the project, but more curbs are needed if the budget allows. He estimated a cost of \$25,000 to \$35,000, however, this would not cover the cost of curbs for the entire project area. Mr. Consolo suggested that Mr. Ciuni come back with a firm amount at the next Council meeting. Mr. Ciuni stated that he will obtain a renegotiated unit price for the curbs for a higher amount of curbing because it will lower the unit price. He also noted that if additional curbs are added to the contract the deadline for the project may have to be extended.

MOTION BY MR. CONSOLO, SECONDED BY MS. GOLDBERG to add the request for the additional funding for curbs on Bushnell Road to the agenda of the next Council meeting on May 3, 2010. On roll call, all voted "aye."

G. Motion to award the bid for the 2010 Tree Planting

Service Director Christopher Vild reported that bids were opened on April 15, 2010 for the Tree Planting Program for 2010 and 2011. The bid was based on the total cost of planting 262 trees this spring and the average price per tree, per species in 2010 and 2011. Six (6) bids were received. The lowest and best bid was received from Creekside Landscaping in the amount of \$42,080.00 for the 2010 spring planting and with an average price per tree of \$165.00. There was no increase in unit price from 2010 to 2011. Mr. Vild recommended accepting the bid of Creekside Landscaping.

MOTION BY MRS. PARDEE, SECONDED BY MR. CONSOLO to award the bid for the 2010-2011 Tree Planting to the lowest and best bidder, Creekside Landscaping, in an amount not to exceed \$42,080.00, with an average per tree cost of \$165.00. On roll call, all voted "aye."

H. Motion to advertise for bids for a stock scooter-like vehicle for refuse collection

Mr. Vild reported that \$20,000 has been budgeted toward the purchase of a refuse collection scooter, which will not cover the cost of a retrofitted scooter. Therefore, he is requesting to advertise for bids for a stock scooter-like vehicle and then have the City's mechanics modify the scooter to fit the department's needs in order to keep the cost under \$20,000. Mr. Vild estimated the cost of a stock scooter-like unit at \$15,500.00.

Mr. Sims stated that he is agreeable to advertising for bids for the stock scooter-like vehicle, but wanted more information on modifications that will be made to the base unit along with savings.

Mr. Consolo thought it was a good idea to have the mechanics modify the stock vehicle because it shows initiative.

Ms. Goldberg asked Mr. Vild to contact the City of Lakewood to determine if they are willing to sell their used scooters.

MOTION BY MR. CONSOLO, SECONDED BY MR. BULLOCK to advertise for bids for a stock scooter-like vehicle for refuse collection. On roll call, all voted "aye."

Mr. Vild stated that he received the three quotes for the repair of rubbish truck 21-10 as follows: Waste Removal Equipment in the amount of \$11,097.71; American Fleet Services in the amount of \$12,400.93; and Best Equipment Company, Inc. in the amount of \$13,500.00. The request for repairs will be brought back to the Council at its next meeting on May 3, 2010.

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

An executive session was not required.

Directors' Reports:

Finance Director Jennifer L. Esarey reported on the City of Cleveland Water Department (CWD) reimbursement of expenses. Reimbursement expenses were submitted to CWD in March of 2010 for street repairs in connection with the waterline repairs for the period of November, 2008 to February, 2010. However, the invoices submitted did not meet the criteria for street repairs. Ms. Esarey stated that the invoices will be resubmitted under the correct criteria. Approximate sixty-three (63) invoices will be resubmitted in the amount of \$67,650.

Service Director Christopher Vild reported that the City will hold its annual Arbor Day Tree Planting Ceremony on April 30, 2010 at 11:00 a.m. on Fenwick Rd. adjacent to the University Heights Library. Following the tree planting, participants will go into the library for additional programming and refreshments.

Mayor Infeld announced that April 22, 2010 is Earth Day. She mentioned that John Carroll University will soon unveil a program to reduce its carbon footprint by using bicycles. The City is participating with the university on this endeavor.

Committee Reports:

Building Committee Chairman Frankie Goldberg reported that she will attempt to schedule a committee meeting on May 4, 2010.

Ms. Goldberg also announced that the Wiley Middle School Challenge Choir is scheduled to perform in Washington, D.C. and is planning a fund-raiser for April 22, 2010 at Bodega, 1854 Coventry Road at 9:00 PM. Tickets are \$35 each or two for \$60.

Ms. Goldberg also reported that there will be Fair Housing Law Seminar on April 23, 2010 at the Cleveland Metropolitan Bar Association.

Civic Information Committee Chairman Frank Consolo reminded everyone that the John Carroll University Relay for Life will be held on April 24, 2010 starting at 10:00 a.m. and continue until 4:00 a.m. on April 25, 2010. He mentioned that the Fire Department has a team and is accepting additional members.

Governmental Affairs Committee Chairman Susan D. Pardee reported that her committee will meet on Monday, April 27, 2010 at 7:00 p.m. in Council Chambers.

Safety Committee Chairman Steven D. Bullock reported that he will schedule a meeting to review the SWAT agreement ambulance fees.

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

Susan K. Infeld, Mayor

Nancy E. English, Clerk of Council