

**MINUTES OF COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS
APRIL 15, 2013**

Mayor Infeld called the regular meeting to order at 7:44 p.m.

**Roll Call: Present: Mrs. Frankie Goldberg
Mr. Mark N. Wiseman
Mr. Steven Sims
Mrs. Adele H. Zucker
Mrs. Susan D. Pardee
Mr. Phillip Ertel
Mrs. Pamela Cameron**

**Also Present: Clerk of Council Kelly M. Thomas
Law Director Anthony J. Coyne
Finance Director Larry Heiser
Chief of Police Steven Hammett
Interim Fire Chief Brian Phan
Building Commissioner David Menn
City Engineer Joseph Ciuni**

Mayor Infeld held a moment of silence in support of the victims, their families and those affected in the tragic at the Boston Marathon earlier in the day as well as the safety forces.

Pledge of Allegiance

Minutes of the meeting held on April 8, 2013

MOTION BY VICE MAYOR GOLDBERG, SECONDED BY MRS. ZUCKER to approve the minutes from April 8, 2013 as presented. On roll call, all voted “aye.”

Comments from the Audience

Mrs. Muzis, 2573 Warrensville Center Road voiced her concern about the smart meters being installed by Dominion East Ohio Gas and stated that it would be a good idea for Dominion to come to a public meeting and provide information about the smart meters to University Heights residents. Mrs. Muzis also asked if the fire department merger with Shaker Heights is on the agenda for tonight’s meeting.

Reports and Communications from the Mayor and the taking of action:

Arbor Day is celebrated on April 26, 2013 and the City will commemorate it by planting trees on Silsby Road in front of the Building Department on Friday, April 26 at 11:00am. Local schools have been invited to help plant the trees. University Heights has been a recipient of Tree City USA from the National Arbor Day Association for the last 35 years.

Mayor Infeld announced she belongs to “Mayors against Illegal Guns.” Overall the group believes that people’s constitutional rights should be protected to own fire arms but is also in favor of having background checks.

Agenda Items:

A. Proclamation Honoring Hannah Rosinski and Jacob Jaffe for their performance at the 2013 U.S. Figure Skating Championship

Mayor Infeld read the proclamation honoring University Heights resident Hannah Rosinsk (senior at Beaumont) and Cleveland Heights resident Jacob Jaffe (recent graduate of Hawken). Hannah and Jacob represented the Pavilion Skating Club for the past two years as paired ice skaters in the US Figure Skating Championships.

B. Ordinance 2013-18 Authorizing John Carroll University to erect Temporary Banners in U-1, U-2, and U-5

Mayor Infeld explained that Ordinance 2013-18 authorizes the John Carroll University to erect temporary banners around the campus corridor.

Ms. Dora Pruce, JCU Director of Government and Community Relations stated that John Carroll desires to place thirty-three banners, 70" x 31" in size on the utility poles to frame the campus. The banners will be located on Fairmount Circle, John Carroll Boulevard, Carroll Boulevard, Milford, the entrance gate to the campus and down South Belvoir by the stadium. First Energy has been contacted for their approval and the Architectural Review Board for Shaker Heights has also approved the banners. The banners will be up from May until the end of October.

MOTION BY MRS. ZUCKER, SECONDED BY MRS. CAMERON to approve the passage of Ordinance No. 2013-18 authorizing John Carroll University to erect Temporary Banners in U-1, U-2, and U-5 district as an emergency measure. On roll call, on suspension of rules, all voted "aye." "On roll call, on passage, all voted "aye."

C. Motion to Declare property located at 2301 Fenwick Road (formerly known as Fuchs Mizrachi) a nuisance and Declaring an Emergency

Both City Engineer Joseph Ciuni and Building Commissioner David Menn reported that they inspected the interior of the building. Due to the condition of the interior; water damage, asbestos and other issues it was recommend that the property be declared a nuisance.

MOTION BY VICE MAYOR GOLDBERG, SECONDED BY MR. SIMS to declare property located at 2301 Fenwick Road (formerly known as Fuchs Mizrachi) as a nuisance and declaring an Emergency. On roll call, on suspension of rules, all voted "aye." "On roll call, on passage, all voted "aye."

D. Ordinance 2013-19 Authorizing the Demolition of City owned property located at 2301 Fenwick Road (formerly known as Fuchs Mizrachi) pursuant to University Heights code of Ordinances Section 1242.14(B)(4) and Declaring an Emergency.

MOTION BY MR. SIMS, SECONDED BY MR. ERTEL to approve the passage of Ordinance 2013-19 authorizing the demolition of City owned property located at 2301 Fenwick Road (formerly known as Fuchs Mizrachi) and declaring an Emergency. On roll call, on suspension of rules, all voted "aye." "On roll call, on passage, all voted "aye."

E. Resolution 2013-20 Authorizing Mayor to enter into an agreement with The Lower Cork Company, Inc. The lowest and best bidder, for demolition of the building located at 2301 Fenwick Road (formerly known as Fuchs Mizrachi) in an amount not to exceed \$201,271.05 and declaring an emergency

City Engineer Mr. Ciuni stated that The Lower Cork Company has demolished public buildings in other localities and that their references have been checked. Upon receiving written notice to proceed with demolition The Lower Cork Company will have sixty days to complete project. Mr. Ciuni stated that the surrounding area will receive notification prior to the demolition taking place.

Vice-Mayor asked if the City would be able to keep any materials, i.e. brick for alumni (Northwood Elementary School) to purchase or use for a fundraiser.

Mr. Coyne responded that the City needs to stay within the contract specifications and that if an interest to do something of that sort develops it should be addressed prior to the contract is signed.

Mayor Infeld noted that this is not something the City would coordinate other than placing wording in the demolition contract. Any fundraiser, etc. would be community driven.

Mayor Infeld remarked that this is a momentous moment for University Heights now the Park Committee can move forward with planning the use of the property

MOTION BY VICE MAYOR, SECONDED BY MRS. ZUCKER to approve Resolution 2013-20 Authorizing Mayor to enter into an agreement with The Lower Cork Company, Inc. The lowest and best bidder, for demolition of the building located at 2301 Fenwick Road (formerly known as Fuchs Mizrachi) in an amount not to exceed \$201,271.05 and declaring an emergency. On roll call, on suspension of rules, all voted “aye.” “On roll call, on passage, all voted “aye.”

F. Ordinance 2013-12 Amending Ordinance 59-88 Prohibiting Overnight Parking (2nd reading)

Vice Mayor Goldberg clarified that Ordinance 2013-12 removes the 30 minute grace period and that overnight parking would now be prohibited from the hours of 2am – 5am except for physicians on emergency calls. University Heights residents can call the police department for permission to park on the street for special occasions and other various reasons.

MOTION BY MRS. VICE MAYOR GOLDBERG, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2013-12 amending Ordinance 59-88 Prohibiting Overnight Parking. “On roll call, on passage, all voted “aye.”

G. Ordinance 2013-13 Amending Ordinance 2012-44 Prohibiting Use of Electronic Wireless Communication Devices for Text-Based Communication while Operating a Motor Vehicle (2nd reading)

Vice Mayor Goldberg reiterated that this is meant to be proactive, educational but not punitive.

Mrs. Pardee confirmed with Police Chief Hammett that Ordinance 2013-13 also includes the use of any electronic device, such as ipods, gps devices, etc and that it is a two (2) point violation for the first violation.

Mr. Sims inquired when the signage would be posted on the city streets.

Chief Hammett stated signage would be posted on the main streets immediately upon passage of Ordinance 2013-13. Chief Hammett also noted the Police Department will be issuing warnings for the first 60 days.

MOTION BY MRS. VICE MAYOR GOLDBERG, SECONDED BY MRS. CAMERON to approve the passage of Ordinance 2013-13 Amending Ordinance 2012-44 Prohibiting Use of Electronic Wireless Communication Devices for Text-Based Communication while Operating a Motor Vehicle. On roll call, on passage, all voted “aye.”

H. Resolution 2013-14 Permitting the City Administration to sell through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tolls, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2013 (2nd reading).

Mayor Infeld stated that passage of this Resolution is an annual requirement to allow the City to sell various items and equipment via govdeals.com.

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to approve the passage of Resolution 2013-14 Permitting the City Administration to sell through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tolls, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2013. On roll call, on passage, all voted “aye.”

I. Resolution No. 2013-17 Authorizing an agreement with Karvo Paving Company Inc., as the lowest and best bidder for the 2013 Street Resurfacing Project in University Heights in an amount not to exceed \$534,140.37 and declaring an emergency.

City Engineer, Mr. Ciuni reported that joint city bids were opened in Shaker Heights on March 22, 2013. Mr. Ciuni noted that University Heights streets were all bid separately. The streets to be improved are Lansdale Road, Washington Boulevard (Cedar to Silsby), East Carroll Boulevard (White to Green), Milford Road (Warrensville to John Carroll Blvd.), large area repairs and possibility Silsby Road (Warrensville to Miramar).

MOTION BY MR.SIMS, SECONDED BY MR. ERTEL to approve Resolution 2013-17 Authorizing Mayor to enter into an agreement with Karvo Paving Company, Inc. as the lowest and best bidder for the 2013 Street Resurfacing Project in University Heights in an amount not to exceed \$534,140.37 and declaring an emergency. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."

Mayor Infeld asked Council to add motion to advertise for waterline replacement bids.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to add motion to advertise for waterline replacement bids on the agenda. On roll call, on passage, all voted "aye."

Mayor Infeld reported Mr. Ciuni, City Engineer provided Council a letter stating that the sewers on Fenwood Road and Channing Road (between Meadowbrook Boulevard to Channing Road).

Mayor Infeld remarked that the City signed an agreement with City of Cleveland Water Department and in turn Cleveland Water took over ownership of the waterlines. Cleveland Water is responsible for the cost of repairs 100%, but Mr. Ciuni will manage the project for University Heights.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to advertise for bids for the 2013 waterline replacement program. On roll call, on passage, all voted "aye."

J. Motion to Purchase 4 Wheeled Utility Vehicle for Service Department

Service Director Mr. Pokorny reported that bids were opened on Friday, April 12 at 3:30pm. Mr. Pokorny recommended that the bid be awarded to Middlefield Farm and Garden of Middlefield, Ohio as the best and lowest bid in the amount of \$13,110.00.

The Service Department will fabricate a new lift system for the back of the Vehicle with a 2 cubic yard hopper for a significant savings.

MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to purchase a 4 Wheeled Utility Vehicle for Service Department from Middlefield Farm and Garden of Middlefield, Ohio as the best and lowest bid in the amount of \$13,110.00. On roll call, on passage, all voted "aye."

K. Motion to hold an executive session immediately following this regular meeting for the purpose of discussing personnel and legal matters.

Mayor Infeld stated the need to have an executive session.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to hold an executive session immediately following this regular meeting for the purpose of discussing personnel and legal matters. On roll call, on passage, all voted "aye."

Directors' Reports:

Finance Director Larry Heiser provided and explained to Council the RITA (Regional Income Tax Association) Delinquent and Subpoena Program Activity Report.

Police Chief Steve Hammett reported that one of the University Heights Police Officer attended a training class which focused on domestic terrorism (dynamic simulation scenario based training exercises). To maximize the benefits of the training the Police Department has in turn conducted a training class with Bellefaire and will hold additional training sessions for other local police and security departments within University Heights.

Fire Chief Brian Phan reported that Lt. Andrew Boylan is serving as the Fire Prevention Officer. Chief Phan also reported that the Fire Department like the Police Department will use the vacant building at 2301 Fenwick Road (formerly known as Fuchs Mizrachi) for training in search and rescue exercises until the building is demolished. University Heights Fire Department will also invite other Fire Departments to train with them.

Building Commissioner David Menn reported that John Carroll University is preparing for the remodeling of Murphy Hall. Mr. Menn also reported that the inspectors have begun the exterior inspections around the City.

Committee Reports:

Civic Information Committee Chairman Susan Pardee reported that the civic information committee met on Wednesday, April 10. At that meeting Realtor Mary Lou McHenry from Howard Hanna talked about the current status of real estate in University Heights and reported that the market in University Heights is going very well. The Committee discussed how to promote the City via a Breakfast Realtor Meeting. Mrs. McHenry suggested that a meeting be held in the month of October 2013 or February 2014.

Governmental Affairs Committee Chairman Phillip Ertel was not able to attend the last School Lay Facilities meeting so Councilwoman Cameron gave a brief report. The Lay Facilities Committee made their decision to accept Gearity as the location of the University Heights Elementary School. Councilwoman Cameron reported that there was extensive discussion about green space and making the school buildings more energy efficient. The next meetings are set for April 30 and May 1. A final report should be drafted and submitted to the school board for approval.


Mayor Infeld explained that the School Board wants to take advantage of discount that available through the Ohio School Facilities Commission. The Discount would give the School District 15% discount on construction cost.

Recreation Committee Mayor Infeld reported that the 2013 Recreation Booklet is at the printer and should be delivered to residents in the early part of May.


Safety Committee Chairwoman Frankie Goldberg will plan a Safety Committee to explore ice cream trucks within the next month.

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

MOTION BY VICE MAYOR GOLDBERG, SECONDED BY MR. ERTEL to adjourn. On roll call, all voted "aye".



 Susan K. Infeld, Mayor



 Kelly M. Thomas, Clerk of Council