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

Roll Call: Present: Ms. Frankie B. Goldberg  
Mr. Steven Sims  
Mrs. Susan D. Pardee  
Mr. Phillip Ertel  
Mrs. Pamela Cameron  
Mr. Thomas A. Cozzens  
Mrs. Adele H. Zucker  

Also Present: Clerk of Council Nancy E. English  
Interim Law Director Kenneth J. Fisher  
Finance Director Larry Heiser  
Interim Finance Director Anthony Ianiro  
Chief of Police Steven Hammett  
Interim Service Director John Pucella  
Building Commissioner David Menn  
City Engineer Joseph R. Ciuni  

Pledge of Allegiance

Minutes of the Regular Meeting of April 2, 2012

There were no corrections or additions to the minutes of the regular meeting of April 2, 2012.

**MOTION BY MS. GOLDBERG, SECONDED BY MR. COZZENS to approve the minutes of April 2, 2012 as presented. On roll call, all voted “aye.”**

Comments from the Audience:

Stanley Bagley, 2361 Traymore Road, explained to the Council that when he was away from home taking care of his ill son, who lives in Georgia, he was cited to court on housing violation. Mr. Bagley stated that some violations have been corrected and other violations, such as cracks in the driveway, are almost complete. He added that the house is being renovated extensively beyond the violations. Therefore, Mr. Bagley asked that the Building Department withdraw the court case. Mayor Infeld mentioned that they have been in conversation for over two (2) years with much court action involving Mr. Bagley’s property. She noted that the court is following up on previous cases. Mr. Bagley commented that his son has relapsed and he would like to go to Georgia to be with him, but the court case is delaying his departure. He also mentioned that the Building Commissioner would not speak with him when he came to do an inspection. Councilman Sims expressed concern that a City employee would refuse to speak with a resident regarding property matters.

Law Director Kenneth J. Fisher stated that the Building Department operates in a fair and impartial manner. He noted that the administration does not want to cite residents to the Shaker Heights Municipal Court, but in situations where violations continue to remain unremedied, violation notices are issued and court action taken. Mr. Fisher stated that if violations have been corrected, the court should be advised. Mr. Fisher also noted the City would like to resolve the situation, but explained that this was not a Council matter and advised Mr. Bagley that he would call him tomorrow.

Agenda items B and C were considered out of order at this point in the meeting due to the fact that City Engineer Joseph Ciuni had to leave to attend another meeting. However, for the purpose of these minutes, there are listed in proper order.

The meeting reverted to regular order with a continuation of comments from the audience.

Jodi Sourini, 2260 Fenwick Road, representing Save Our School (SOS), stated the mission of SOS is to keep both a public school option as well as the Cleveland Heights-University Heights Board of Education offices within University Heights city limits. She mentioned that the School District’s facilities master plan calls for the closing Gearity Professional Development School. She pointed out that it would be detrimental to University Heights to lose its only public elementary school because studies have shown the further a property is away from a public school the less value it might have.
Mrs. Sourini presented four (4) areas of concern over the School District’s Plan C:
1) reduced property values and tax revenues if the city loses either Gearity School or the Board of Education offices;
2) lack of transparency and absence of facts regarding the proposed plan;
3) the decision making process;
4) cost of $187,000,000 for Plan C and a budget yet to be shared.

Mrs. Sourini pointed out that public school enrollment in University Heights is increasing. She shared that Gearity had to add a third kindergarten class one week before the start of school because enrollment increased at a rate higher than projected.

Mrs. Sourini encouraged all members of University Heights City Council to attend the School District’s facilities master planning meeting on April 18, 2012 from 6:30 p.m. to 8:30 p.m. in the social room at the Cleveland Heights High School.

Mayor Infeld commented that a resolution is on the agenda of this meeting in support of keeping a public elementary school in University Heights.

Phillip Luschek, 3697 Washington Blvd., commented that in light of the funding cuts from the State to cities, cuts in commercial activities tax, and the repeal of the estate tax, he feels the City is going to bankrupt itself by purchasing properties that it will have to maintain. He did not believe the purchase of the Fuchs Mizrachi School property and the house at 3954 Silsby Road were necessary.

Mayor Infeld noted that there is an ordinance on the agenda of this meeting which authorizes her to purchase the former Fuchs Mizrachi School property. She explained the process the City went through regarding the potential purchase. She commented that her personal preference would be to have green space. But, if the City acquires the property, she will appoint a committee of residents to study how the property will be used. Mayor Infeld mentioned that the service department could maintain park grounds, but if the community desires to have a community center, it could go before the voters as a bond issue to operate the center and hire staff. She added that a portion of the $1.3 million surplus revenue from last year will be used to acquire the property.

Mayor Infeld also mentioned that she was not in favor of acquiring the Silsby Road property, however, the City Council was in favor of the purchase. She noted that the house will require repairs. She does not know what the house will be for, but noted that it could be fixed up and sold.

Sheila Hubman, Ashurst Road, inquired as to the cost to demolish the former Fuchs Mizrachi School building. Mayor Infeld responded that the estimated cost of demolition, according to the County Landbank and City Engineer, would be approximately $200,000 which would include asbestos abatement costs of $25,000. She added that if the building is to be demolished after the use of the property is determined, then the demolition would be let for competitive bid.

Mrs. Hubman thanked Interim Finance Director Anthony Ianiro for pitching in and bridging the gap between Finance Directors.

Brett Teacher, 3884 Washington Blvd., stated that the establishment of a park at the site of the former Fuchs Mizrachi School property would contribute to the development of the current and future children of University Heights. Mr. Teacher asked the Council members to vote yes on Ordinance No. 2012-15, authorizing the purchase agreement with The Leonard and Susan Fuchs Mizrachi School.

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

Mayor Infeld stated that the decision of the Cleveland Heights-University Heights Board of Education regarding Gearity Professional Development School will impact the City. It was her position that closing the only public elementary school in University Heights would make the community unattractive to families with children. Mayor Infeld encouraged everyone to contact the members of the Board of Education and urge them to keep a public elementary school in University Heights.

Agenda Items:

At this point in the meeting, Mayor Infeld read and presented the certificates of recognition to the Gesu Boys Basketball Team for winning the CYO City Championship, listed under Item D herein.
A. **Oath of Office - Larry Heiser, Finance Director**

Mayor Infeld administered the oath of office to Mr. Heiser.

B. **Resolution No. 2012-16 Authorizing an agreement with Burton Scot Contractors, Inc., for the 2012 Street Resurfacing (Emergency)**

Resolution No. 2012-16 authorizes the Mayor to enter into an agreement with Burton Scot Contractors, Inc., the lowest and best bidder, for the 2012 Street Resurfacing in the City in an amount not to exceed $281,881.50. The streets to be improved under this project include: 1) North Park Boulevard from Milford to Fairmount (shared cost with Shaker Heights); 2) Charney Road from Claridge Oval to Meadowbrook; 3) Silsbly Road from Milton to Green; 4) Meadowbrook Boulevard from Warrensville Center to Washington; and large area repairs in various locations.

City Engineer Joseph R. Ciuni reported that bids were opened on March 30, 2012 by the City of Shaker Heights for the joint bid of street resurfacing for 2012. Six bids were received. Mr. Ciuni recommended that the City award the project to Burton Scot Contractors, Inc. as the lowest and best bidder in the amount of $281,881.50.

In response to Vice Mayor Goldberg, Mr. Ciuni reported that he believes by bidding with Shaker Heights the City saved on plan preparation, bidding costs, and higher unit pricing on a smaller project. He also noted that the project should start around the first week of May, if approved.

**MOTION BY MR. COZZENS, SECONDED BY MRS. ZUCKER to approve the passage of Resolution No. 2012-16 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”**

C. **Resolution No. 2012-17 Authorizing an agreement with A & A Safety for pavement marking/street striping for the years of 2012-2014 (Emergency)**

Resolution No. 2012-17 authorizes the Mayor to enter into an agreement with A & A Safety, the lowest and best bidder, for pavement marking/street striping in the City of University Heights for the years 2012-2014 in an amount not to exceed $89,148.00. The scope of work under this program includes all city streets.

Mr. Ciuni reported that bids were opened on March 23, 2012 by the City of Shaker Heights for 2012-2014 Pavement Marking Program. This was a joint bid by the Cities of Shaker Heights and University Heights, with Shaker Heights taking the lead. Four bids were received. The low bid was received from A & A Safety with an annual breakdown as follows: Year 2012 at $28,550; Year 2013 at $28,969; and Year 2014 at $30,629. Mr. Ciuni recommended that the project be awarded to A & A Safety as the lowest and best bidder in the amount of $89,148.00.

**MOTION BY MRS. CAMERON, SECONDED BY MR. COZZENS to approve the passage of Resolution No. 2012-17 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”**

Mr. Ciuni reported that the pool painting has been completed. The pool will be allowed to dry completely and should be filled in about one week.

D. **Certificates of Recognition to the Gesu Boys Basketball Team for winning the CYO City Championship**

Mayor Infeld read and presented the Gesu 8th Grade Boys Basketball Team with certificates of recognition for winning the 2012 CYO City Championship Tournament. This is the third consecutive year that the Gesu Boys’ Basketball Team has won the CYO City Championship. Congratulations were extended to team members Danny Volpe, Matt Davet, Joe Evans, Josh Goodman, Mark McHugh, Nick Gannon, Tommy Lauer, Connor Lesko and Jack Cook, and coaches Chris Salata, Brian McLaughlin and Anthony Colangelo.

E. **Update on Cuyahoga County Council actions - Julian Rogers, County Councilman**

District 10 County Councilman Julian Rogers introduced himself and reported that the districts have been redrawn and effective January 1, 2013, University Heights will be added to District 10.
Mr. Rogers mentioned that he is a Cleveland Heights resident, born and raised. He noted that when he attended Belvoir Elementary School, now Garity Professional Development School, Laurie Garity was his principal.

Mr. Rogers stated that he is proud of the work that the County Council is doing and offered to come back when the agenda is not so full to give a full update on what has been happening in County government. He gave his personal phone number to be contacted directly should the need arise. Mayor Infeld commented that Mr. Rogers has been very responsive.

**F. Ordinance No. 2012-14 To provide for the issuance and sale of notes in anticipation of the issuance of bonds in the principal amount not to exceed $2,487,000 for various purposes (2nd Reading/Emergency)**

Ordinance No. 2012-14, which was presented on first reading on April 2, 2012, provides for the issuance and sale of notes of the City of University Heights in anticipation of the issuance of bonds, in a principal amount now estimated not to exceed $2,487,000 for the following various purposes: 2001 Street Improvement Project ($350,000); 2002 Street Improvement Project ($250,000); 2003 Street Improvement Project ($150,000); 2004 Street Improvement Project ($400,000); 2004 Motorized Equipment Project ($100,000); 2004 Cedar Road Street Improvement Project ($370,000); 2004 Warrensville Center Road Improvement Project ($124,000); 2005 Motorized Equipment Project ($85,500); 2005 Street Improvement Project ($414,500); 2006 Sewer Project ($300,000); 2006 Motorized Equipment Project ($350,000); and 2006 Street Improvement Project ($200,000).

Ms. Virginia “GiGi” Benjamin reported that the ordinance authorizes the routine renewal of notes. The City will pay down $229,000 of principal and roll the notes in order to pay off the notes coming due on May 2, 2012. If the ordinance is approved at this meeting, there will be a sale of the notes on Wednesday and the new notes will be issued on May 1, 2012 and the money used on May 2, 2012 to pay off the outstanding notes.

In response to a question from Councilwoman Zucker, Interim Finance Director Anthony Ianiro noted that the correct amount of principal amount of the notes is not to exceed $2,487,000.

Councilwoman Pardee inquired as to why there is an additional sentence at the end of Section 2 of the Fiscal Officer’s Certificate for the 2001 Street Improvement Bond Anticipation Notes - 2012 Renewal that is not in any of the other certificates. It reads, “Therefore, the maximum maturity of such bonds is May 1, 2021.” Ms. Benjamin explained that notes can be outstanding for more than twenty (20) years, but if notes are outstanding for longer than five (5) years then the maximum maturity of the bonds get reduced by the period of time in excess of five (5) years that the notes are outstanding. In seeing that there were other notes outstanding more than five (5) years, which did not have the additional sentence, Ms. Benjamin stated that it not of significance that it is reflected in one certificate and not the others. Councilwoman Pardee thanked Ms. Benjamin and Mr. Ianiro for the spreadsheet outlining the due date for all the outstanding notes.

Ms. Benjamin requested that the ordinance be passed as an emergency measure for the reason that the immediate issuance and sale of notes are necessary to enable the City to retire the outstanding notes at maturity, which is May 2, 2012.

**MOTION BY MRS. PARDEE, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2012-14 as an emergency measure. On roll call, on passage, all voted “aye.”**

**G. Ordinance No. 2012-15 Authorizing a purchase agreement with The Leonard and Susan Fuchs Mizrahi School (2nd Reading)**

Ordinance No. 2012-15, which as presented on first reading on April 2, 2012, authorizes the Mayor to enter into a purchase agreement with The Leonard and Susan Fuchs Mizrahi School, including all necessary documents appurtenant thereto. The purchase price of the Fuchs Mizrahi School property is $600,000, which will be paid in three annual payments: $300,000 in 2012, $200,000 in 2013, and $100,000 in 2014.

**MOTION BY MR. ERTEL, SECONDED BY MR. COZZENS to approve the passage of Ordinance No. 2012-15. On roll call, on passage, all voted “aye,” except Ms. Goldberg, who “abstained.”**
H. Ordinance No. 2012-18 Transferring Funds to Police and Fire Pension Funds (Emergency)

Ordinance No. 2012-18 authorizes the transfer of funds from the General Fund to the Police Pension Fund in the amount of $115,000 and the Fire Pension Fund in the amount of $149,000.

MOTION BY MR. COZZENS, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2012-18 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. 2012-19 Amending Section 1084.03 of the Codified Ordinances by removing the time periods indicated therein (Emergency)

Ordinance No. 2012-19 amends Section 1084.03 of the Codified Ordinances of the City of University Heights by removing the time period (between May 1 and November 1 of each year) in the event grass or weeds exceed eight inches in height. The amended Section 1084.03 shall read as follows: “No person, being the owner, occupant or person in control of any lot or parcel of land within the City shall allow or maintain on any such lot or parcel of land any growth of grass or weeds to a height of eight inches or more.”

MOTION BY MRS. PARDEE, SECONDED BY MR. COZZENS to approve the passage of Ordinance No. 2012-19 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

J. Ordinance No. 2012-20 Amending Ordinance No. 2009-13 adopting and establishing rules and regulations for the operation of municipal recreational facilities (Emergency)

Ordinance No. 2012-20 amends Ordinance No. 2009-13; adopts and establishes rules and regulation authorized by Section 244.08 of the Codified Ordinances of the City of University Heights for the operation of the municipal recreational facilities.

Councilwoman Cameron reported that the changes to the recreation fee schedule was recommended by the recreation department staff. The fee for the family recreation pass increased from $80 to $125. In response to a question from Vice Mayor Goldberg regarding the increase, Councilwoman Cameron stated that it has been several years since the fee was increased and the aquatic director felt that the increase would address the time intensive responsibility of providing a professional level of care and support for children at the pool. It was noted that the increase was comparable to other cities as well. Mayor Infeld stated that the fee was last increased in 2007.

Councilman Sims inquired if the City separates the receipts that come from the pool or from the recreational activities in its accounting and budgeting process. Secondly, he asked if any consideration was given to whether or not the department needed to be supplemented in any way. Mr. Ianiro responded that they do account for all recreation department fees within the revenue budget in the General Fund. He added that the 2012 budget mirrors the 2011 budget, therefore, they did not take the proposed increase into consideration. Councilman Sims stated that his concern is that the City is able to cover its cost with the fees, but in no event go beyond charging what it cost to cover the City’s costs. Mr. Ianiro stated that in preparing the budget, they did not look at the total pool revenue against the total operation of the pool. Mr. Sims suggested that going forward they take a look that to determine if increases are necessary to cover cost of operation. Councilwoman Cameron mentioned that part of the consideration was that the City was not going to be able to cover costs and wages if the fees were not increased.

Councilwoman Pardee inquired if synchronized swimming is still provided as an offering. It was noted that it is not offered anymore because the personnel is not available to teach it.

MOTION BY MRS. CAMERON, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2012-20 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”
K. Ordinance No. 2012-21 Amending Chapter 284 of the Codified Ordinance by updating the provisions therein (Emergency)

Ordinance No. 2012-21 amends Chapter 284 of the Codified Ordinance of the City of University Heights by updating the provisions of the Cable Television/Internet Advisory Commission to the Technology Advisory Commission. Technology related industries are defined as including, but not limited to, internet services, computer and information services, data storage and retrieval, mobile technology and cable TV. Mayor Infeld suggested that the ordinance be placed on first reading. Councilwoman Pardee agreed.

Ordinance No. 2012-21 was presented on first reading.

L. Ordinance No. 2012-22 Amending the agreement between the City and the Ohio Patrolmen’s Benevolent Association (Emergency)

Ordinance No. 2012-22 amends the agreement between the City and the Ohio Patrolmen’s Benevolent Association by adding the following paragraph:

Pursuant to the provisions of this section, the Chief of Police may establish the special assignment of “Corporal.” Police employees given this assignment will be paid at the regular hourly rate for Sergeants under this Agreement for all hours worked when there is not also a Sergeant on duty. Police employees on this assignment will be paid at 1.5 times the regular hourly rate for Sergeants for all overtime hours (as defined by this Agreement) worked when there is not also a Sergeant on duty.

Chief of Police Steven Hammett reported that five (5) individuals retired from the police department in 2011. They included three (3) Lieutenants, the Deputy Chief and Chief. Chief Hammett stated that when he was hired, he conducted a workload assessment (management audit). The purpose of the workload assessment was to determine what staffing levels are appropriate. Upon completion of the assessment, the Chief determined that the department was at sufficient staffing levels to operate effectively and meet the department’s mission. However, in order to do that the department has to be restructured.

Chief Hammett noted that there are administrative areas that need attention, such as property management, training, enforcement of the criminal nuisance abatement ordinance, and jail management. In order to properly cover these administrative areas, Chief Hammett proposed moving some Lieutenants into administrative positions, leaving the shift with one supervisor as opposed to two, and having a senior officer or Corporal fill in for the Sergeants when they are off. When filling in for Sergeant, the Corporal will get Sergeant’s pay.

Chief Hammett stated that if the new structure can be implemented it would make the department a more efficient and effective agency. He added that it would also help cultivate the leadership skills in the young officers.

Mayor Infeld noted that Chief Hammett is going through an extensive restructuring and analysis of the job functions and duties of the police department staff to make it run more efficiently and to bring it up to date with current standards. She added that the ordinance will add the special assignment of Corporal on a temporary, as needed, basis. Mayor Infeld thanked Chief Hammett for his efforts in analyzing the operation of the police department and making appropriate changes.

MOTION BY MS. GOLDBERG, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2012-22 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

M. Ordinance No. 2012-23 Authorizing a six-month agreement with Senior Transportation Connection for the provision of transportation services (Emergency)

Ordinance 2012-23 authorizes the Mayor to enter into a six-month agreement with the Senior Transportation Connection for the provision of transportation services to senior and disabled residents of University Heights from May 1, 2012 through October 31, 2012. It was noted that terms of the proposed agreement are the same as the previous agreement. It was also noted that all rides (80 one-way trips) are being utilized.
MOTION BY MRS. ZUCKER, SECONDED BY MR. COZZENS to approve the passage of Ordinance No. 2012-23 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

N. Ordinance No. 2012-24 Approving the 2012 S-9 Supplement to the Codified Ordinances (Emergency)

Ordinance No. 2012-24 approves the editing and inclusion of certain ordinances as part of the Codified Ordinances of the City of University Heights and amends and enacts sections of the Traffic and General Offenses Codes to conform to enactment of the Ohio General Assembly.

Clerk of Council Nancy E. English reported that the ordinance approves the 2012 S-9 supplement to the Codified Ordinances. The supplement includes local legislation passed by the Council through January 3, 2012. It also amends or enacts sections of the Traffic Code and General Offenses Code to conform with State law which is current through November 8, 2011.

Councilwoman Cameron inquired if this ordinance eliminates unnecessary ordinances. Law Director Kenneth J. Fisher responded that the Council amends and repeals existing ordinances on an ongoing basis, but the City’s codifier, American Legal Publishing, only edits what has been formally adopted by the Council.

MOTION BY MS. GOLDBERG, SECONDED BY MR. SIMS to approve the passage of Ordinance No. 2012-24 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

O. Ordinance No. 2012-25 Amending Article 2, Section 1 of the City Charter by amending the deadline for filing nominating petitions with the Board of Elections from sixty (60) days to ninety (90) days (1st Reading)

Ordinance No. 2012-25 amends Article 2, Section 1 of the City Charter by amending the deadline for filing nominating petitions with the Cuyahoga County Board of Elections from sixty (60) to ninety (90) days prior to the date of election and placing said amendment on the ballot of the November 6, 2012 general election.

Mayor Infeld and Mr. Fisher reported that the ordinance has been introduced at the request of the Cuyahoga County Board of Elections because the current sixty-day filing deadline causes a time constraint on the part of the Board to print the ballots. Mr. Fisher also noted that if the ordinance is approved by Council, the issue is placed on the ballot, and passes by a majority vote of the electorate, the change would apply to the 2013 municipal elections.

Ordinance No. 2012-25 was presented on first reading.

P. Resolution No. 2012-26 In support of keeping a public elementary school in University Heights (Emergency)

Resolution No. 2012-26, which Mayor Infeld read, supports keeping a public elementary school in University Heights. The City of University Heights objected to the proposal of the Cleveland Heights-University Heights City Schools District to eliminate the only public elementary school in the City as detrimental and devastating to the health of the School District and to the City of University Heights. The resolution will be forwarded to the Cleveland Heights-University Heights Board of Education, County and State officials, and posted at various posting locations in the city.

MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to approve the passage of Resolution No. 2012-26 as an emergency measure. On roll call, all voted “aye,” except Mrs. Pardee, who abstained.

Mayor Infeld requested that Council entertain a motion to approve James G. Zupka, C.P.A., Inc. as the State Auditor’s choice for the performance of the audit of the City’s financial records for the year 2011. Mayor Infeld reported that Vice Mayor Goldberg, Mr. Heiser, Mr. Ianiro and she met with representatives of the State Auditor’s Office, Carol Ann Schindel, chief auditor, and Christopher Bressel, assistant chief auditor. She noted that the audit is required to be performed annually and the selection process was conducted in accordance with the rules and regulations of the State Auditor’s Office. Six companies responded to the bid request, which were examined and graded by the State Auditor’s Office and Mr. Ianiro to determine the lowest and best bidder.
Vice Mayor Goldberg stated that she shared some of the same concerns as other members of Council about past challenges the City experienced with the James G. Zupka, C.P.A. firm. During the meeting, some issues became clearer to her in terms of the selection process. It seems that based on the ratings, technical and cost scores, the City has very little control over the selection, except for the validation process. Vice Mayor Goldberg stated that she is concerned because the audit due date is June 30, 2012 and the City is behind at this point in time. She noted that the selection process was very comprehensive and thorough and is controlled by the State. Vice Mayor Goldberg stated that she is comfortable with the process in place to validate the selection.

Mr. Ianiro mentioned that the City is to confirm and validate that the Auditor’s procedures were followed in accordance with the rules and regulations of the State Auditor’s Office. Mr. Heiser added that it is the State Auditor’s decision. The State Auditor uses a sub-contractor to do their work and the State Auditor Offices reviews the work papers.

Councilman Sims stated that he did not have a problem with the process. His concern was that the City’s past history with the Zupka firm was not satisfactory. Mr. Sims suggested that since the State is not concerned about past history, he suggested that next time the resolution be written differently with respect to validate the selection. Mayor Infeld stated that a resolution is not before the Council, rather she proposed a motion to approve the State Auditor’s selection of James G. Zupka, C.P.A., Inc. to perform the City’s audit for 2011.

Mr. Fisher stated that it is the State Auditor’s responsibility by law to perform the audit and it was delegated pursuant to their rules and scoring system. He noted that legislation was not required, but a resolution was prepared and defeated at the April 2, 2012 City Council meeting. Therefore, Mr. Fisher advised that the matter be brought back to the Council in the form of a motion to be discussed publicly and a vote taken instead of the Mayor just signing the contract.

The Mayor suggested that Councilman Sims address his concerns directly to State Auditor Dave Yost. Councilwoman Zucker inquired as to what recourse the City has if something goes wrong. It was suggested that the matter be taken up with Mr. Yost. Mr. Fisher added that when this contract expires, Mr. Heiser will be involved and will keep the Council informed of the new process. Councilwoman Cameron asked if the resolution could be worded to say that this is a State authorized process that is not negotiable so that it is clear it is being approved for transparency. Mr. Fisher responded that the motion for approval will be based upon the direction of the State Auditor and based upon their scoring, and the Council approves James G. Zupka, C.P.A., Inc. as the State Auditor’s choice for the performance of the audit of the City’s financial records for the year 2011. Mayor Infeld reiterated her suggestions Council members to address their concerns directly to Mr. Yost.

Councilman Sims requested a copy of the State statute that addresses this procedure. Mr. Fisher will provide the code provision to the Council.

MOTION BY MR. COZZENS, SECONDED BY MS. GOLDBERG to approve the State Auditor’s selection of James G. Zupka, C.P.A., Inc. to perform the audit of the City’s financial records for the year 2011. On roll call, all voted “aye,” except Mr. Sims and Mr. Ertel, who voted “nay.”

Q. 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:

There were no director reports.

Committee Reports:

Civic Information Committee Chairman Susan D. Pardee reported that the Civic Information Committee met on April 9, 2012. Several items were discussed:

1) Proceed with a realtors’ meeting in January or February of 2013 and work out course credits to offer 3 c.e.u.’s. The realtors will hear from the Mayor, the School District, Building Commissioner, and learn about the City as a way to promote the City.
2) Review of Chapter 284 - the former Cable Television/Internet Advisory Commission has been rewritten and updated as a Technology Advisory Commission. The Commission will advise the Civic Information Committee and Mayor on current issues in technology and technology related industries. Ordinance No. 2012-21 was presented on first reading at this meeting. Once the ordinance is approved, names will be presented for membership to the Commission and forwarded to the Mayor for appointment and approval by Council.

3) Email Newsletter and promotion - the committee is working on ways to promote sign-up and encourage an email push for extended participation.

4) Follow-up on potential use of iPads for Council - the committee is interested in executing a pilot program perhaps as early as the summer. Work will continue on this effort.

5) Services for senior citizen - the committee will host a meeting for a Senior Advisory Council on Wednesday, May 23, 2012 at 7:00 p.m in Council Chambers. The committee will gather input on what services senior citizens want the City to provide.

Recreation Committee Chairman Pamela Cameron thanked Council for approving Ordinance No. 2012-20 adopting and establishing rules and regulations for the operation of the municipal recreational facilities.

Safety Committee Chairman Frankie B. Goldberg did not have a report, but she thanked the service department, on behalf of the community, for the extra garbage pickup on the Friday before Passover.

Mayor Infeld reported that City Engineer Joseph Ciuni, Interim Service Director John Pucella and she met with representatives of Cuyahoga Department of Public Service about a program the County offers to perform some of the same functions as the City’s service department. She noted that program would involve the dedicated funds that are collected for sewer repair and maintenance. Mayor Infeld distributed information regarding the program to the Council and referred the matter to the Council Committee of the Whole. She suggested that a special Council meeting on this topic only be held on a date during the last two weeks of May. Mayor Infeld added that the County representatives will be invited to attend the meeting.

Mr. Pucella explained that the County’s program consists of sewer work on the 6 inch line that runs from the basement of the house to the street, main sewer repairs, main sanitary cleaning and storm sewer cleaning. He noted that there is a fee associated with each type of service. Mr. Pucella stated that the Mayor and Council would decide how extensive the City’s participation would be, if any. He noted that neighboring communities already utilize the services.

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

Mayor Susan K. Infeld

Nancy E. English, Clerk of Council