

**MINUTES OF COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
APRIL 23, 2014**

Mayor Infeld called the regular meeting to order at 7:35 p.m.

Roll Call:

Present: Mrs. Susan Pardee
Ms. Nancy E. English
Mr. Mark Wiseman
Mrs. Adele Zucker
Mr. Phillip Ertel
Mr. Steven Sims
Ms. Pamela Cameron

Also Present: Law Director Anthony J. Coyne
Finance Director Larry Heiser
Fire Chief Douglas Zook
Police Chief Steven Hammett
Service Director Jeffrey Pokorny

Pledge of Allegiance

Minutes of the Regular Meeting of April 7, 2014

Mayor Infeld provided typographical corrections to her comments on page 1 and Vice Mayor Pardee corrected the spelling of Mary Dunbar's name under her Recreation Committee report on page 6.

MOTION BY MS. ENGLISH, SECONDED BY MR. ERTEL to approve the minutes of April 7, 2014 as presented and corrected. On roll call, all voted "aye."

Comments from Audience

Mr. Richard Creger, 2592 Saybrook Road was present to comment on the movement of Heights High School to Wiley Middle School. Mr. Creger stated that he realizes that everything that he reads in the newspapers may not be correct but he also noted that it appears that there will be approximately 1200 daily full time students and an additional 300-400 students will be coming and going at various times on a daily basis. The Teachers and Administrators will bring the numbers to close to 2000 people. Mr. Creger stated that he didn't think it was fair to the students, surrounding residents and stores and suggested using Wiley to its fullest capacity and to move the remaining student and the trailers to the vacant Walmart store at Severance Shopping Center in Cleveland Heights. Mr. Creger also voiced his concern with swimming pool being used by the high school.

Mrs. Muzis, 2579 Warrensville Center Road asked for clarification of the Committee of the Whole report on page two (2) of the Council meeting agenda and if it meant that discussion would be held regarding the consolidation of fire service between University Heights and Shaker Heights.

Mayor Infeld explained the logistics regarding Standing Council Committees and of the Committee of the Whole.

Comments from Mayor

Mayor Infeld reported the following information.

- The Memorial Day Parade Committee will meet in the conference room, Monday, April 28 at 7pm in the Conference Room.
- The Park Committee along with the Architects will meet on Tuesday, April 29 at 7pm
- The rezoning of the City's Planning and Zoning Codes has begun. Mr. David Hartt from D.B. Hartt Planners met with members of the Council, Board of Zoning, Planning Commission and Architect Review Commission and the next meeting will be on May 6 at 7pm in the second floor conference room of the Dolan Science Center at John Carroll University.

- The repaving project of South Belvoir Blvd. (from Fairmount Blvd. to Mayfield) will begin at anytime. The project will begin in South Euclid at Cedar Road and move in the North direction to Mayfield and then circle back on the other side to move back towards Cedar Road and on through University Heights. The repaving will be completed one (1) lane at a time.

Agenda Items:

A. Ordinance 2014-07 Authorizing the City to enter into a “Delinquent Debt Collection Agreement” with the Ohio Attorney General (first reading)

Finance Director Larry Heiser stated that currently the city uses a different company to collect delinquent debts and that the State Attorney General Office charges less and their rate of collection is better.

Councilman Sims asked for clarification on how the ambulance billing is handled and how the collection is done.

Mr. Heiser explained that Lifeforce sends out the billing statements to the patients up to three (3) times, after which Lifeforce send University Heights notification of outstanding bills and if the patient is a resident of University Heights. Mr. Heiser noted that if the patient is a resident and if the insurance has paid a certain amount the City waives the remaining amount. If the patient is not a resident or if there been no communication with the patient (resident or nonresident) the bill is turned over to collections.

Mayor Infeld noted that Ordinance 2014-07 will allow the City to enter into agreement with the State Attorney General Office to collect any outstanding debt on behalf of the City including Ambulance service and other possible debts owed to the City.

Vice Mayor Pardee asked if the City would have any control over third (3rd) party billing companies and their use of numerous and harassing phone calls.

Mr. Heiser replied that the City had no control of the method of collection with the use of third party agencies and that the Attorney General Office does use outside law firms under their letterhead for collections.

Law Director Anthony Coyne confirmed that the Attorney General Office use private Attorney Generals on occasion who get appointed by the Attorney General’s Office. The Attorney General Office may also use Collection Agencies or Divisions. Mr. Coyne also noted that the City can terminate the contract with a 45day notification.

Councilman Sims asked about the cost of use of ambulance services.

Mayor Infeld stated that the bills based on the type of ambulance service provided and the insurance rates. The billing is well managed in regards to those who are able to pay or not pay for the services provided.

Ordinance 2014-07 was placed on first reading.

Mayor Infeld asked Council for a motion to add the approval to enter into agreement with the City of Cleveland Heights for the disposal of yard waste to the agenda.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MRS. ZUCKER to the agenda the approval to enter into agreement with the City of Cleveland Heights for the disposal of yard waste. On roll call, all voted “aye.”

Service Director Jeff Pokorny stated that the contract with Aljon now known as JJack Mulch Service expired in January. JJack Mulch Service had hoped to reopen their facility located in Cleveland on Ivanhoe Road but was unable to so, leave University Heights without a place to deposit yard waste. Yard waste includes; brush, Christmas Trees, leaves and any similar items that would be collected from the tree lawns. Mr. Pokorny noted that he contacted other cities to inquire how they dispose their yard waste. South Euclid, Lyndhurst and Cleveland Heights take their yard waste to Greenvision. Greenvision has several sites where they take the material and compost/grind it into wood waste (mulch) similar to what JJack did. Greenvision’s closest facility to University Heights is in Wickliffe. Even though Greenvision would take our yard waste for free, University Heights would have the expense of taking it there. Greenvision did not have a problem with taking the Christmas Trees but did not want and will no longer accept the

have a problem with taking the Christmas Trees but did not want and will no longer accept the kraft/leaf bags with mixed leaves, brush, etc.

Mr. Pokorny reported that Cleveland Heights has agreed to accept University Heights' mixed kraft/leaf bags, mix it with theirs and deliver it to a facility that Greenvision operates in Newbury, Ohio with a cost of \$7,000.00. Previously University Heights paid JJacks \$7,500.00 for the same service. Not only will this be a savings of \$500 it will save on the cost of travel in half (including trucking, man hours, etc.) Mr. Pokorny recommended entering into agreement with Cleveland Heights.

Councilman Sims asked if in the previous agreement the cost was based on anything particular or absolute cost per year and if Cleveland Heights will accept anything we take without additional cost/charges.

Mr. Pokorny replied that the previous agreement was a lump sum cost for the processing of unlimited amount of material and that Cleveland Heights will accept anything we take them. Mr. Pokorny also noted that the contract is not written to be unlimited; it's based on the numbers we provided which is an average of what was done over the last four or five years. The contract is for one year, to the end of 2014.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MR. SIMS to approve the yard waste disposal agreement with the City of Cleveland Heights and authorize the Mayor to enter into said agreement. On roll call, all voted "aye."

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

Mayor requested a motion for executive session for the discussion of litigation and real estate matters.

MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to enter into executive session for the purpose of solely discussing litigation and real estate matters. On roll call, all voted "aye."

Directors' Reports

Law Department: Mr. Coyne reported that the work session for Council to discuss the responsibilities of the Council and of the Administration as well as public records will take place on May 12 at 6:00pm in Council Chambers.

Fire Department: Chief Zook informed everyone that the annual spring time fire hydrant maintenance which includes testing and flushing will begin on Monday, April 28, 2014 and last approximately two weeks. If anyone sees brown water out of their tap, just allow the water to run until clear. Chief Zook also stated if any resident inadvertently does laundry during this time and experiences rusty water the Fire Department will give out stain remover free of charge. Notice of the hydrant testing will be distributed to the media.

Mayor Infeld also noted that the Fire Department will place signs on the hydrants to alert residents.

Councilwoman Zucker asked if notice of the hydrant testing could also be placed on the City's website.

Building Department: Mayor Infeld stated that the Building Commissioner had no report.

Councilwoman Cameron noted concerns she received from residents in regards to the Building Department.

- Residents that Councilwoman Cameron spoke with have the perception that the City has become soft towards people and the management of their property and how it (the property) presents to the City

Councilwoman Cameron stated she spoke with residents on Washington Blvd. and they expressed some immediate concerns about the presentations of the properties located at 3665 and 3673 Washington Blvd. and if the City has any actions or pending actions with the properties. Another property in question is 3650 Raymont Blvd.

Mr. Coyne stated he would check with the Building Commissioner.

Mayor Infeld asked if the residents had checked with the City for an explanation.

Councilwoman Cameron stated that they had but were still unclear.

Mayor Infeld encouraged residents to call either City Hall or the Building Commissioner directly when concerned about properties in the city. Mayor Infeld thanked Councilwoman Cameron for bringing the properties to the city's attention.

Councilwoman Cameron spoke of "gray areas" where situations become lost; such as the City's response when the Plain Dealer delivers papers to vacant buildings and the commercial property at University Corners.

Mayor Infeld commented that the Plain Dealer has a marketing effort in place where they (Plain Dealer) distribute free newspapers for a period of time to certain streets. The Plain Dealer knows which streets and addresses these papers are delivered to and are supposed to revisit the properties and retrieve any papers that haven't been removed. The City does have a relationship with the Plain Dealer so if the papers aren't removed the City will contact the Plain Dealer and they will in turn contact the delivery person to remove the papers.

Councilman Sims thanked Councilwoman Cameron for bringing these types of matters to Council's attention, not that the City doesn't have a process or relationship to address the matters. But Council may not be aware of some the matters and this helps Council be more informed.

Mayor Infeld reported that City has a building inspection program for residential properties as well as for the commercial properties. The City has the same standards and expectations for commercial properties and their upkeep.

City Engineer: Mayor Infeld reported that Mr. Ciuni present to Council the bids results for the 2014 Street Resurfacing program which was joined with Shaker Heights at the next Council meeting.

There were no other director reports.

Standing Committee Reports

Finance Committee Chairwoman/Vice Mayor Susan Pardee had no report from the Finance Committee but did report that several council members attended NOCCA's (Northeast Ohio City Council Association) meeting regarding the topic of deer and wildlife management. An excellent presentation was given by the Cuyahoga County Division of Wildlife about the barriers and challenges to regional action. The presenter suggested that the Cities don't have deer problems and need to look at land management and safety as the issues. If deer than become an issue around land management or safety we look at what to do around the deer, it's all about gathering information first. Vice Mayor Pardee noted if University Heights ever wanted to take action around deer management or any issues she'd hoped that the Cuyahoga County Division of Wildlife would be contacted to look at observation and surveys rather than antidotal evidence and to help craft a plan to work on land management safety as it relates to deer.

Mayor Infeld stated that University Heights is involved with multiple other cities in working towards a regional deer management.

Governmental Affairs Committee Chairman Mark Wiseman noted he would like to arrange a Governmental Affairs Committee meeting within the next few weeks, the agenda items will be determined at a later date.

Safety Committee Chairman Phillip Ertel will be scheduling a committee meeting next month to discuss auxiliary police officers.

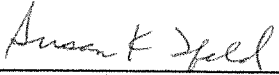
There were no other standing committee reports.

Council entered into executive session for litigation and real estate matters with no new business to conduct after the executive session.


MOTION BY MRS. CAMERON, SECONDED BY MRS. ZUCKER to resume the regular Council meeting session. On roll call, all voted "aye."

There being no further business to discuss, the meeting was adjourned at 9:40pm.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MRS. ZUCKER to adjourn the meeting. On roll call, all voted "aye."



Susan K. Infeld, Mayor



Kelly M. Thomas, Clerk of Council

