

**MINUTES OF COUNCIL MEETING  
CITY OF UNIVERSITY HEIGHTS  
MARCH 3, 2014**

**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 Coyne  
Clerk of Council Kelly M. Thomas  
Finance Director Larry Heiser  
Police Chief Steven Hammett  
Fire Chief Douglas Zook  
Service Director Jeffrey Pokorny  
City Engineer Joseph Ciuni  
Building Commissioner David Menn

Mayor Infeld held a moment of silence in honor and recognition of Mark O'Neil, a long time resident who recently passed away. Mr. O'Neil was named "Citizen of the Year", chaired the Charter Review Commission and served on the Civil Service Commission.

Pledge of Allegiance

Minutes of the Regular Meeting of February 18, 2014

The following corrections were made to the February 18, 2014 minutes.

Vice Mayor Pardee corrected the spelling of Ms. Weiss name on page 5 from Wise to "Weiss"

Councilwoman Zucker corrected the motion on page 4 under item "g" to read "MOTION BY MR. ERTEL, SECONDED BY MRS. ZUCKER....."

**MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to approve the minutes of February 18, 2014 as corrected. On roll call, all voted "aye."**

Comments from Audience

Mr. Richard Kenney, 4105 Meadowbrook Blvd. addressed his concerns with John Carroll University request to turn temporary access drive off Washington Blvd. into a permanent emergency access drive. Mr. Kenney area of concern related to the proximately to (approx. 100'); the five (5) way intersection, Gesu School and the fact that it is a high traffic and pedestrian area. There is a similar entrance with an apron and sidewalk, it is consistently used as place to turn around and/or park temporarily. Mr. Kenney asked the following questions 1.) is there a better place to have the emergency exit; 2) if there is indeed a need; 3) what "emergency" is defined as; 4) who has the authority to declare an emergency; 5) who will monitor and report the emergency; 6) what will be the penalties if used for non emergencies?

Mr. Michael Watson, 2380 Lalemant Road As well as being a resident of University Heights Mr. Watson received both his undergrad and graduate degrees from JCU and actually lived in Murphy Hall. Mr. Watson noted that Murphy Hall was built in 1964 and hasn't need an emergency drive access. 2.) there are four emergency drives access points along Miramar and Milford allowing for enough emergency access to the facility. 3.) there is also a walkway directly across from Gesu and has it has been used as a turnaround for persons who are being dropped off. Mr. Watson stated that the emergency drive at the end of Lalemant is being used as a turnaround, drop off or stopping point. Mr. Watson continued to note that he sees this item beyond something that may exist as a turnaround but as a green space issue and the effect on the community. Mr. Watson stated that John Carroll is not monitoring the existing emergency exits to the extent that they should. Mr. Watson's last point was that in 2009 JCU received a "D" grade for their level of sustainability in their carbon foot print in comparison to other Universities. This grade came from a organization that rates Universities and their amount of sustainability. Since that time JCU has had a sustainability initiative to increase their green space on campus. JCU has increased their carbon footprint and is

not contributing well to the environment. Mr. Watson ended his comments by saying if there is truly a need for an emergency access put it on it across from Gesu School.

#### Comments from Mayor

Mayor Infeld reported that the semi-annual household hazardous waste collection and citywide shredding will occur in the Service yard on March 7 & 8, 2014. The paper shredding truck will be on site Saturday, March 8 between 9am – 1pm, if residents need to bring in papers for shredding on Friday between 8am – 4pm the paper will be placed in the locked receptacles and will be shredded on Saturday.

Mayor Infeld noted the following upcoming meetings.

- March 10 at 7pm ~ Memorial Day Parade committee will meet in the conference room.
- March 24 at 7pm ~ The park architects will meet will Park Planning committee and community in council chambers.
- March 25 at 7pm David Hartt will present his ideas on updating the City's Planning and Zoning Codes to the City Council, Board of Zoning, Planning, Architectural Review Board and other City Officials as well as the public. The meeting will be held at John Carroll University in the conference room above the Dolan Science Center.
- The newsletter for February is posted to the City's website and will be delivered to the University Heights household throughout the week.

#### Agenda Items:

##### **A. Ceremonial Swearing-in of Fire Chief Douglas Zook**

Mayor Infeld swore in Fire Chief Douglas Zook.

Chief Zook introduced his wife Tracy, son Jacob and other friends and colleagues who were in attendance.

##### **B. Approval of Planning Commission recommendation allowing John Carroll University, 1 John Carroll Boulevard to renovate St. Ignatius of Loyola Plaza**

Mrs. Dora Pruce, Director of Government and Community Relations for John Carroll University presented an overview of the project.

Mrs. Carole Dietz, Associate Vice President of Facilities informed everyone that the fountain project is meant to provide a setting for reflection and community. The fountain is meant to respect and enhance the existing St. Ignatius statute which was a gift for the class of 1962. The Plaza design will unite the main quad and the St. Francis Chapel with brick pavers, engraved bricks in front of the chapel, fountain, seating area with benches and sculptured letters for people to sit on. The estimated cost of construction is approx. \$400,000.00 which includes the cost of engraving the pavers and bricks. The cost to build the fountain is approx. \$120,000.00.

Vice Mayor Pardee asked how deep the water would be and if it circulates?

Mrs. Dietz replied the water is 16½" deep with an overflow device in the fountain that will prevent the fountain from overflowing during heavy rainstorms into the sanitary storm system. The water will be chlorinated. Equipment in the pump room controls the circulation and is located underneath in the mechanical space under St. Francis Chapel. The fountain will be drained for the winter.

Mr. Ertel asked if the fountain would have a lip to protect persons from fall into the fountain.

Mrs. Dietz remarked that lip is 10" in height, 12" wide and extends around the fountain.

**MOTION BY MRS. CAMERON, SECONDED BY MRS. ZUCKER to approve the Planning Commission recommendation allowing John Carroll University, 1 John Carroll Boulevard to renovate St. Ignatius of Loyola Plaza. On roll call, all voted "aye."**

**C. Approval of Planning Commission recommendation allowing John Carroll University, 1 John Carroll Boulevard to convert the temporary access drive off Washington Boulevard that was created for the Murphy Hall Renovation to a permanent emergency access drive.**

Mrs. Pruce explained that the temporary access drive was approved as part of the Murphy Hall construction design and was built to handle heavy construction vehicles. The renovations to Murphy Hall will be completed this summer and discussions ensued regarding keeping the temporary access drive as a permanent emergency access drive to the campus developed. Mrs. Pruce noted that the drive would allow for a direct route with quicker response times for emergency vehicles to the north side of campus. The driveway would be closed at all times with only emergency personnel having access to the gate, similar to the other gates on campus. Currently the only access to campus for emergency vehicles is either off Fairmount Circle or off South Belvoir Boulevard.

Mr. Ertel asked if the gate would be decorative.

Mrs. Pruce responded that the gate would be a decorative iron gate painted black with a emergency knock (lock) box that only JCU Campus Police Department and the University Heights Fire Department would have access to.

Mrs. Cameron asked in relations with the concerns of the driveways being used as a turnaround, where would the gate be located in relation to the driveway and if the driveway apron would afford persons to loiter within that area?

Mrs. Dietz stated that the distance from the apron to the sidewalk is 14' and then another 5', so the distance from the actual street to the gate is close to 20' including the sidewalk. The drive on the Murphy Drive on other side of Murphy Hall is similar with a standard utility gate. Currently that drive on Murphy is not in use but will be back in service once the renovation of Murphy Hall is complete.

Police Chief Hammett stated the Police Department hasn't received any complaints in regards to loitering in those areas during the current school year or recent months. Chief Hammett also noted his approval of the project and also stated that it would enhance the safety of the student body and staff allowing quicker access to the portion of the campus.

Vice Mayor Pardee asked Chief Hammett if the police department would be able to access the emergency gate like the fire department.

Chief Hammett replied that only campus police and the fire department will have access, but it is the practice of the police department to contact John Carroll's campus police prior to their arrival.

Fire Chief Zook noted that an additional access point would help with the staging of emergency vehicles and create another point of egress and regress so as not to trap the apparatus in the event of another call within the community. Having another point of egress and regress will be beneficial to both the university and the community.

Mr. Wiseman asked Chief Hammett if a dangerous situation could be created by persons backing out of that area onto the street during the evening time?

Chief Hammett responded that there is police coverage in that general area of Washington Blvd. already due to the number of traffic complaints of speeders and stop sign violators. If it becomes an issue it will be addressed further.

Mrs. Cameron asked if there are any issues with children and having Gesu school nearby?

Chief Hammett answered only early morning congestion, but there is a cross guard and police officer there.

Mr. Sims questioned what presence of John Carroll University personnel have around the area and has it been a problem while it's been a temporary access driveway?

Chief Hammett stated his department had not received any complaints and that he (Chief Hammett) meets with JCU Police Chief monthly and has not been made aware of any complaints.

Vice Mayor Pardee asked for clarification that access drive is only to be used for emergency purposes, only for fire and for campus security.

Mrs. Pruce stated that if John Carroll wanted to use the driveway for any other use/purpose, such as campus' move-in/outs the administration at city hall would be contact first for approval.

Mr. Richard Kenney, 4105 Meadowbrook Blvd. suggested inserting post in the apron to prevent vehicles from pulling in and out of the drive.

Mr. Michael Watson, 2380 Lalemant Road remarked that the driveway that is on the other end of Murphy Hall is constantly used by students for all sort of reasons. Mr. Watson also stated to his understanding there has never been an issue of fire access and that there is another gate/drive to give access to both ends of Murphy Hall. If it is necessary to have a turnaround, place it where the walkway is and not eliminate the hill which is a nice area for children, adults and students alike.

Mrs. Dietz stated the background in the original approval by the city for the placement of the temporary construction driveway and that at that time two different placements were proposed; where is currently exist and on Miramar. Mrs. Dietz noted that codes and things that City's and University's have to plan for are different than they were previously based on accidents that occurred over the 50 years. The University needs to think about an emergency preparedness plan just as the city does.

Mrs. Dietz also noted that the city requires specific signage on the gates that reads; no parking fire lane and do not enter.

Mr. Coyne stated that installing post/pylons comes with several requirements, maintenance and upkeep.

Mrs. Cameron questioned if there was a way to change the access of the apron through the treelawn to remedy the problem.

Mr. Menn stated that if the gate is moved forward the city could possibility issue a type of encroachment permit.

Mr. Ciuni remarked that the city could issue an encroachment permit if the fence is moved forward of the right of way. Mr. Ciuni stated he is in favor of the gate being behind the sidewalk.

Mayor Infeld question if a possibility could be that the apron be removed and replace with pavers that resembles a grass could limit the issue.

Further discussion ensued in regards to the placement of the gate.

Mr. Coyne informed Council that their options are as follows; approve, modify, table (send back to JCU for additional options) or deny.

Mr. Menn noted that using pavers is a good idea but also shorten the apron by bring in the wide flare so the apron is not as wide.

**MOTION BY MRS. CAMERON, to approval of Planning Commission recommendation allowing John Carroll University, 1 John Carroll Boulevard to convert the temporary access drive off Washington Boulevard that was created for the Murphy Hall Renovation to a permanent emergency access drive. MOTION FAILED DUE TO THE LACK OF A SECOND.**

**MOTION BY MR. WISEMAN, SECONDED BY MRS. PARDEE to table the approval of THE Planning Commission recommendation allowing John Carroll University, 1 John Carroll Boulevard to convert the temporary access drive off Washington Boulevard that was created for the Murphy Hall Renovation to a permanent emergency access drive pending receipt of further information incorporating discussion that was held at the current council meeting. On roll call, all voted "aye," except Mrs. Cameron who voted "nay."**

**D. Motion to approve the purchase of two (2) new vehicles for the Police Department.**

Police Chief Hammett reported he would like to replace two (2) police cars with approx. 150,000 miles on each of them plus idling time. The new Ford Interceptor cars will be purchased under the state contract and the hold of the state contract is Statewide Ford.

Councilman Sims asked if Chief Hammett could furnish council an inventory of the Police Department vehicles with the ages.

Chief Hammett replied that he would provide council with an inventory list with the years and millage.

Councilman Wiseman asked about the decals displayed on the side of the cars and if it is budgeted for 2014?

Chief Hammett answered the cars have a simple design decal in alignment with state regulations.

Mr. Heiser replied that the two vehicles are in the 2014 capital budget.

**MOTION BY MRS. PARDEE, SECONDED BY MS. ENGLISH to purchase two (2) vehicles for the Police Department in the amount of \$26,573.00 each. On roll call, all voted "aye."**

**E. Ordinance 2014-04 an Ordinance authorizing the transfer of funds from the General Fund to Street Lighting Fund (204) and Capital Improvements Fund (401) and transfers from Community Development Block Grant Fund (206) and Sick Leave Benefits Fund (207) to the General Fund.**

Ordinance 2014-04 was placed on first reading.

**F. Motion to advertise for the 2014 Tree Planting bids**

Mr. Pokorny reported he would like to receive bids for the spring planting season. There are 203 trees to be planted on the east side. The estimated cost is \$43,000.00.

**MOTION BY MRS. CAMERON, SECONDED BY MR. ERTEL to advertise for the 2014 Spring Tree Planting. On roll call, all voted "aye."**

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

There was no need for an executive session.

Directors' Reports

**Law Director** Anthony Coyne reported that he is in the process of working on the work session for council members and the Law Department, it is hoped to be scheduled on a Monday that Council doesn't have a meeting. Mr. Coyne also noted he will be in attendance for the joint session with the Council, Board of Zoning Appeals, Planning Commission and Architectural Review Commission and David Hartt for the rezoning of the Planning and Zoning Code.

**Police Chief** Steve Hammett reported that the police department received a public record request for false alarm data and that the results were published on cleveland.com. Chief Hammett review the report and clarified the ordinance as follows; if a parties three false alarms within a six (6) month period a citation can be issued. On the first occurrence nothing is done, on the second one a letter is issued stating that if it occurs again within six (6) months a citation will be issued and on the third occurrence a citation is issued. The citation can be issued to the owner, occupant or whoever is in charge of the facility. The fines are \$50 to \$100 for each subsequence citation within the sliding six (6) months scale.

**Fire Department:** Mayor Infeld reported that the ambulance will be delivered to the city sometime during the week.

**Service Superintendent** Jeff Pokorny reported that Cargill has delivered 1000 tons of salt that was ordered and Morton Salt still owes the city 200 tons of salt.

**City Engineer** Joseph Ciuni reported that the preconstruction meeting with the county for Belvoir Blvd. resurfacing project is on Thursday.

There were no other director reports.

#### Standing Committee Reports

**Building Committee** Chairman Steven Sims reported that the Building Committee met on Thursday February 27 and generated a lot of ideas; to slow the trends around absentee homeownership, increasing number of rental properties, create prototype of designs that resident could use to make the home floor plans more modern, curb appeal and work with landscape architect to design garden and have a relationship with garden center and possibly have plants at a more responsible cost.

**Civic Information Committee** Chairwoman Nancy English presented the names for appointment to the Technology Advisory Commission; Sandy Cronin, William Fudge III, Kevin Goodman, Kevin Hatgas, John Reebel, Kal Zucker – School Board Representative and Aurora Martinez – Library Board Representative. Ms. English is the Council representative and all members are ex-officio members of the commission. The first meeting will be Thursday, March 26 at 7pm in Council Chambers.

**Finance Committee** Chairwoman Susan Pardee reminded everyone that the deadline for submitting names for the Finance Advisory Committee is March 10. Mrs. Pardee also stated the names for the Advisory Committee will be furnished at the next City Council meeting.

**Councilwoman Cameron** reported that she attended the meeting regarding the schools on Feb. 26 and attended one of the planning sessions for the designs of the new schools. There will be two more public meetings the next meeting is March 27 at 6pm.


**Recreation Committee** Chairwoman Pamela Cameron reported that the Park Committee will meet on March 24. There will also be a joint meeting of the Recreation and Recreation Advisory on Wednesday, March 19 at 7pm in Council Chambers. Mrs. Cameron also reported that she received a letter from the Library stating they have appointed Laurie Marotta to the Recreation Advisory Committee.

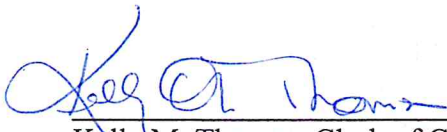
**Safety Committee** Chairman Phil Ertel reported that he will be scheduling a meeting in April.

There were no other standing committee reports.

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

**MOTION BY MR. ERTEL, SECONDED BY MR. SIMS to adjourn the meeting. On roll call, all voted "aye."**

  
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 Susan K. Infeld, Mayor

  
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 Kelly M. Thomas, Clerk of Council