

**MINUTES OF COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS
DECEMBER 2, 2013**

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

Roll Call: Present: Mrs. Frankie Goldberg (7:55pm)
Ms. Nancy English
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
Finance Director Larry Heiser
Law Director Anthony J. Coyne
Chief of Police Steven Hammett
Service Director Jeffrey Pokorny
Building Commissioner David Menn
City Engineer Joseph Ciuni

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to excuse the absence of Vice Mayor Goldberg. On roll call, all voted "aye."

Pledge of Allegiance

Minutes of the meeting held on November 18, 2013

Mayor Infeld provided the Clerk written corrections to the November 18, 2013 Council minutes.

MOTION BY MR. ERTEL, SECONDED BY MRS. PARDEE to approve the minutes from November 4, 2013 as corrected. On roll call, all voted "aye," except Ms. English who "passed."

Comments from the Audience

Mrs. Shelia Hubman, 2532 Ashurst Road gave the following remarks:

- Commented that she was happy to present and to share in the joy of swearing-in Councilwoman Nancy English.
- Complemented McDonalds on their landscaping and the maintenance of it. The west property line is the best it's looked in over 40 years.
- Asked Chief Hammett why is the word "police" written big and "University Heights" is written very small/insignificant on the new police cars? Also, why isn't the City's name put more proudly on the side of the police cars?

Mrs. Annie Rawlinson, 3949 Bushnell Road thanked Mayor Infeld and members of City Council and new Councilmember Nancy English. Mrs. Rawlinson also thanked Chief Hammett for the no right turn onto Bushnell from McDonald's.

Ms. Dina Goulder, 3798 Claridge Oval asked Council, Safety Director and Mayor why the city doesn't publicized the fact that the police cars are ours (University Heights). It would be nice to be able to tell when a police car on patrol belongs to University Heights. Ms. Goulder also noted that if someone were to need help it would be nice for them to be able to flag down a patrol car and know that it belongs to University Heights. Ms. Goulder wasn't sure if perhaps there was a trend in other cities where they don't identify their police cars. Ms. Goulder noted that she thinks it is a good idea to identify police cars, why shouldn't we identify our police cars? Ms. Goulder also agreed with Mrs. Hubman's statements.

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

Mayor Infeld reported the following:

- ❖ The November newsletter mentioned that the next Park Committee meeting will be Wed., Jan 15 at 7pm and that the preliminary plans are posted on the city's website.
- ❖ The School Board scheduled an information night for Monday, December 16, 2013 at 7pm to discuss the closing of Wiley Middle School and the next steps, the meeting will be in the Social Room at Heights High. The topics will include educational programming, integrating the staff, students and families into either Monticello Middle or Roxboro Middle School and celebrating the history of Wiley. Mayor Infeld asked Council if they would be willing to change the regularly scheduled Council meeting from Monday, December 16, 2013 to Tuesday, December 17, 2013 to allow City Officials and the community the opportunity to attend the meeting.

MOTION BY MRS. CAMERON, SECONDED BY MS. ENGLISH to move the regularly schedule City Council meeting from Monday, December 16, 2013 at 7:30pm to TUESDSAY, December 17, 2013 at 7:30pm to allow the body to attend the School Board meeting on Monday, December 16, 2013. On roll call, all voted "aye."

- ❖ The School Board will also have a discussion during the January 7, 2014 School Board meeting. The meeting will be a continuation of the December 16 Heights High meeting. This meeting will be a formal work session of the School Board and allow the public to hear the discussion about the School Board's plan before they vote. Again the discussion will be what boundaries for the new middle school distributions will be and other information about the distribution of Wiley students to the other middle schools next year.
- ❖ Vice Mayor Goldberg will be honored at the next Council Meeting, Tuesday, December 17 as Public Servant of the Year. The Citizen of the Year will be Mr. Robert Walton. Mr. Walton is the City's Magistrate for the Juvenile Diversion Program.

Agenda Items:**A. Swearing-in of Councilwoman Nancy E. English**

Mayor Infeld administered the oath of office to Councilwoman English

Councilwoman English stated that she was glad to be back and that it is an honor to serve University Heights in a different capacity. Councilwoman English introduced her family and friends.

B. Ordinance 2013-56 Amending Ordinance 2013-04, 2013-27, 2013-47 for current expenses and other expenditures.

Mayor Infeld stated that Ordinance 2013-56 is an adjustment to the budget based on actual expenditures.

Ordinance 2013-56 was placed on first reading.

C. Ordinance 2013-57 Levying Special Assessments for providing city services in the removal of nuisance conditions. (on emergency)

Mr. Heiser explained that Ordinance 2013-57 contains the special assessments that were listed on the assessment list that was presented to Council in September and one (1) new assessment, James Davis of 3888 Washington Boulevard. The assessments from September have been adjusted down in amounts per the discussion at the September meeting. Ordinance 2013-57 is on an emergency basis because the County needs it to be filed in their office prior to December 15, 2013 in order to be placed on this year's property tax bill.

Mrs. Pardee clarified the first four are from September and fall under the previous penalty fees? Mrs. Pardee asked if the James David nuisance fell under the same circumstance.

Mayor Infeld replied that Mr. David's nuisance stemmed from police visits to the home and not yard conditions.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to approve Ordinance No. 2013-57 levying Special Assessments for providing city services in the removal of nuisance. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."

D. Motion to authorize the purchase of three (3) Bay Garage Doors for the Fire Department.

Vice Mayor Goldberg arrived at 7:55pm

Mayor Infeld stated that the garage doors were included in the budget for 2013 as a capital item and will be more energy efficient and should lower utility cost.

Mr. Menn explained that the doors are the three main bay doors for the fire department. The doors will be more energy efficient with insulated glass the current glass is single pane. Mr. Menn recommended Action Door as the lowest and best bid. Action Door has done other jobs for the city.

Mr. Sims noted that Barco Door in stated on their proposal that their company installed the current doors in back in 1969. Mr. Sims asked if the doors being proposed at this time are of similar quality.

Mr. Menn stated that the proposed doors will be a better quality door and last the same amount of time if not longer. The doors will be more efficient for heating with a nice look from the street and that the bottom paned will be of solid material.

MOTION BY MR. SIMS, SECONDED BY MRS. ZUCKER to approve the purchase of three (3) Bay Garage Doors for the Fire Department from Action Door in the amount of \$12,309.00. On roll call, all voted "aye."

E. Motion to Authorize Mayor to approve Change Order No. 2 for Fuchs Mizrahi Building demolition in the amount of \$8,410.50

Mr. Ciuni explained that during the demolition of the building's basement foundation a crawl space with installation and pipes with asbestos around them was discovered. Mr. Ciuni noted that nothing was exhibited in the original drawings that were provided to the contractor and that there was no way of knowing the condition existed until the foundation was dug up.

Mrs. Pardee questioned what the first change order was for?

Mr. Ciuni answered it was for similar asbestos removal of the pipes in the ceiling.

Vice Mayor Goldberg asked Mr. Ciuni if he anticipated any further change orders.

Mr. Ciuni replied that he didn't expect any more change orders because the project is done. Mr. Ciuni also noted that the existing two (2) piles of top soil will be leveled out for grass to be planted in the Spring time.

MOTION BY VICE MAYOR GOLDBERG, SECONDED BY MRS. CAMERON to authorize the Mayor to approve Change Order No. 2 for Fuchs Mizrahi Building demolition in the amount of \$8,410.50. On roll call, all voted "aye."

F. Motion to Authorize the purchase of a 2014 Ford F250 Pickup Truck for the Service Department for \$26,117.50 from Lebanon Ford of Lebanon, Ohio

Mr. Pokorny explained that this pickup truck is a replacement for the pickup truck which was stolen in December 2011 and was budgeted for in the 2013 budget. Mr. Pokorny stated he went through the State Purchase Program to obtain pricing and recommended this purchase be made through Lebanon Ford as the low bidder within the State purchase price.

MOTION BY MS. ENGLISH, SECONDED BY MRS. ZUCKER to authorize the purchase of a 2014 Ford F250 Pickup Truck for the Service Department in the amount of \$26,117.50 from Lebanon Ford of Lebanon, Ohio. On roll call, all voted "aye."

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

Mayor Infeld stated that there was a need to hold executive session to discuss personnel and litigation matters.

MOTION BY MRS. PARDEE, SECONDED BY MRS. ZUCKER to enter into executive session to discuss personnel and litigation matters. On roll call, all voted "aye."

Directors' Reports:

Finance Director Larry Heiser reminded council that there will be a Council Committee of the Whole meeting on Tuesday, December 3 at 7pm regarding the budget.

Mr. Sims asked Mayor Infeld how she envisioned the meeting and if she planned to walk Council through it, because he hadn't received any portion of the budget?

Mr. Heiser replied that he had a few questions from Mr. Wiseman (previous Councilman and Chair of the Finance Committee) as well as discussion in regards to fees, real estate taxes, health insurance renewals, retirements, etc.

Mayor Infeld replied that the Administration would like to present to Council what it has in terms of the budget currently, what has to be planned for and to have interaction and explanation with members of council.

Mrs. Zucker asked if Council would receive copies of the budget to look at.

Mayor Infeld replied yes, if it is ready. Mayor Infeld noted that this is the starting point in the budget process.

Ms. English asked Mayor Infeld if the Administration planned on submitting the permanent budget appropriations for next year or a temporary budget to go through until March 2014.

Mayor Infeld stated she wished she could answer that question but hopes that she may be able to after the Committee of the Whole Meeting that's scheduled for Tuesday, December 3, 2013.

Police Chief Steve Hammett replied to questions that were raised during the citizen's portion of the meeting in regards to the design of the police cars. The current design was chosen for two reasons; 1) to have a uniform look and 2) to be in compliance with the Ohio Revised Code, a couple of cars were questionable.

Mrs. Cameron asked what the State Code requires. Chief Hammett gave the example of lights, sirens, lettering and vehicle color.

Safety Director Mayor Infeld thanked the residents for their compliments in regards to McDonalds. Mayor Infeld also reported that the search for the position of Fire Chief was reopened.

Service Director Jeffrey Pokorny reported leaf collection is going well with the completion of 4 rounds with one round to go. All brush needs to be bundled/tied for collection.

Vice Mayor Goldberg asked Mr. Pokorny to explain the process for tree lawn tree pruning and if some type of notice could be given to the affected residents or if some can be placed on the City's website?

Mr. Pokorny explained the process of the tree pruning program and the different codes are set for each tree by the City's Arborist for the amount of pruning to be done. The City is divided into 4 zone method (4/5 years).

Mayor Infeld said pruning can continue to repeat information about tree pruning in the newsletter.

Mr. Sims asked if the goal was to cut back trees so they don't grow into the street or too big, what is the City trying to contain.

Mr. Pokorny stated there are many things; wires, street lights, sidewalk obstruction, prune back roots, etc. We are trying to maintain the large trees and keep them safe and also plant new young trees.

Mayor Infeld reminded everyone that prior to trimming any tree and before bidding out to tree contractors each tree has its own individual recipe set by the City's Arborist as to what work/attention it will receive.

City Engineer Joseph Ciuni reported that the waterline project for 2013 is completed. The City is working with Cleveland Water to determine if there would be a project for 2014. Mr. Ciuni noted that the City should hear from OPWC about the project application we submitted to repave Washington and Silsby sometime mid-December.

Building Commissioner David Menn gave an updated on the various projects within the City. Dunkin Donuts will probably break ground early Spring. The renovation of Murphy Hall (John Carroll University) is on schedule or ahead of schedule with a June finish and students moving in during August for the Fall semester. McDonalds have been very cooperative with the City by addressing any issues immediately.

Committee Reports:

Civic Information Committee Chairman Susan Pardee did not have a report but informed everyone that the School District is forming a Bond Issue Oversight Committee to provide oversight to the funds that were voted on by the community. Residents can sign up for the committee until December 20, 2013, information can be found on the CHUH.org website. Mrs. Pardee stated she felt it was very important and urged everyone to look at the website and consider signing up for the oversight committee.

Finance Committee Mayor Infeld stated that currently the position of Finance Committee is vacant due to the unusual situation, in that, Councilwoman English has been sworn-in and Councilman Wiseman is stepping aside as a Councilman for the month of December and resuming office in January 2014. Therefore from this point until the end of 2013 the Finance Committee information will be presented to Council as a Whole.

Councilwoman English stated since she is the only Councilmember that doesn't have a committee she is willing to serve as Finance Committee Chair until January when committee change. Ms. English continued to explain that she spent 30 years sitting in on Finance Committee meetings going through the budget process and participated in projecting the budgets for the Administration, Legislative Departments as well as the Civil Service Commission. Councilwoman English felt she was capable of handling the Chairmanship for the month of December.

Mayor Infeld stated that the position of Chair of the Finance Committee was left vacant due to a legal technicality because of and the Mayor's uncertainty of the timing of when Councilwoman would be taking her oath and everything was official.

Safety Committee Chairman Frankie Goldberg welcomed Nancy English. Vice Mayor Goldberg stated she had the honor of working with Ms. English in her previous capacity as Clerk of Council for 11 years and that she will be a tremendous addition to City Council. In closing she wished Ms. English all the best.


There were no other committee reports.

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

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to adjourn meeting. On roll call, all voted "aye".



 Susan K. Infeld, Mayor



 Kelly M. Thomas, Clerk of Council