Mayor Infeld called the regular meeting to order at 7:31 p.m.

Roll Call: Present: Ms. Frankie B. Goldberg
Mr. Steven D. Bullock
Mr. Kevin Patrick Murphy (not at roll call)
Mr. Steven Sims
Mr. Phillip Ertel
Mrs. Susan D. Pardee

Absent: Mr. Frank Consolo

Also Present: Clerk of Council Nancy E. English
Law Director Kenneth J. Fisher
Finance Director Jennifer L. Esarey
Chief of Police Gary Stehlik
Fire Chief John Pitchler
Building Commissioner David Mann
Acting Service Director John Pucella
City Engineer Joseph R. Ciuni

MOTION BY MS. GOLDBERG, SECONDED BY MRS. PARDEE to excuse the absence of Mr. Murphy and Mr. Consolo. On roll call, all voted “aye.”

Pledge of Allegiance

Councilman Murphy entered the meeting at 7:33 p.m.

Minutes of the regular meeting held on November 15, 2010

Councilman Sims requested an addition and a correction to the minutes of the November 15, 2010. He requested an addition on the sixth page, the fourth paragraph, the first sentence be amended to read, “Councilman Sims inquired if traffic diversion methods could be incorporated into the grant to eliminate cut-through traffic on Lansdale and Bushnell Roads because he believes this method would be needed as opposed to traffic calming methods due to the proposed development in the area.” Mr. Sims also noted a typographical error in the motion regarding Item D. on page 6, the ordinance number should read, “Ordinance No. 2010-69.”

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to accept the amendments to the minutes of November 15, 2010. On roll call, all voted “aye,” except Mr. Bullock, who “passed.”

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to approve the minutes of the regular meeting held November 15, 2010, as amended. On roll call, all voted “aye,” except Mr. Bullock, who “passed.”

Comments from the Audience:

Mr. Paul Miller, 2370 Charney Road, suggested that the City investigate combining its health care plan with other cities in order to save on health care costs. Mr. Miller also suggested that officials consider some type of landmark for the City on the grassy mound in front of City Hall. He mentioned that the City could get university students involved by coming up with an architectural plan. He added that the City could write the specifications and set a maximum budget.

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

Mayor Infeld noted that over the past few months she has reported on several significant issues that have impacted the City’s financial position, which included a change in the City’s preferred rating status for workers’ compensation premiums because of late payments in 2009 and the failure to file a required annual application which resulted in increased premiums of approximately $100,000. The City’s efforts to get the Bureau of Workers’ Compensation decision reversed were unsuccessful. However, an article in the September 30, 2010 issue of the Sun Press written by Ed Wittenberg detailing the City’s financial troubles changed the BWC’s decision and the City was reinstated in the Retrospective Rating Program for 2009. Mayor Infeld presented Mr. Wittenberg with a proclamation proclaiming him an honorary citizen of University Heights.
Mayor Infeld reported that she is working with a mathematics professor at John Carroll University, Mr. Tom Short, who is a statistician, to update the point of sale survey. In addition, he is developing a survey to determine what city services the residents value, what they find important, and what gives them the most satisfaction. She intends to have a response deadline of January 15, 2011 to aid in planning for 2011 and beyond. The survey will be distributed to the community through the internet. Also, a paper survey will be mailed to a statistical sampling of targeted University Heights residents in various neighborhoods throughout the city to ensure that there are multiple demographics represented. The survey will also be available at public locations throughout the city. The response rate will be tabulated depending on where the information was sent (internet, statistical sampling, library, City Hall, etc.).

Mayor Infeld reported that interviews for Service Director will begin this week.

Mayor Infeld announced that Jennifer Thomas of Loyola Road has been selected as Citizen of the Year. Ms. Thomas works for the Knight Foundation in Akron and previously was the head of the Civic Innovation Lab in Cleveland and started a social networking group called “Cleveland Clicks.” Mayor Infeld also mentioned that the Employee of the Year is in the process of being selected. Both awards will be presented at the December 20, 2010 Council meeting.

Mayor Infeld reported that an employment ad for the open position in the Finance Department will be published in the Plain Dealer this weekend and posted on www.cleveland.com.

Mayor Infeld offered an update on the TIF repayment schedule. A meeting was held last week with the Mayor, Finance Director, Acting Law Director, bond counsel, bankers, and representatives of the Cleveland-Cuyahoga County Port Authority in an effort to work out a repayment schedule. They are still in the process of working on the schedule.

Agenda Items:

A. Overview of public health services provided by the Cuyahoga County Board of Health by Terry Allan, Health Commissioner

Mr. Terry Allan, R.S.,M.P.H., Health Commissioner of the Cuyahoga County Board of Health (CCBH), was present to give an overview of public health services provided by the Cuyahoga County Board of Health. With him were two CCBH employees who works in University Heights, Ryan Towns and Jeff Hanchar of General Environmental Health. Mr. Allan reported that the CCBH serves 886,000 people in 57 communities in Cuyahoga County (every community except the cities of Lakewood and Shaker Heights). In 2009, the CCBH operated with a budget of $22,202,360 of which 15% came from city contracts. The Board of Health celebrated its 90th anniversary in 2009.

Mr. Allan reported that the per capita cost to University Heights is $3.70 per capita, which is among the lowest in the state of Ohio. At the per capita rate, the annual charge to University Heights is $52,340. Mr. Allan added that the CCBH provides an additional $13.90 per capita to the health district through federal and state grants.

He highlighted the wide range of programs and services offered by the CCBH in 2009:

**Influenza**
During the 2009/2010 H1N1 campaign, the CCBH worked with over 1,200 volunteers, which included members of the University Heights Community Emergency Response Team (CERT), and vaccinated over 41,000 people. The CCBH also worked with the University Heights CERT team for the past three years to stage flu clinics that has served as mass clinic drills.

**Communicable Disease & Surveillance**
The CCBH investigated 1,335 cases of reportable diseases and investigated 27 outbreaks. Under the surveillance program, they monitored all emergency room chief complaint data in the Cuyahoga County on a daily basis, monitored over the counter pharmacy sales data from 200 retail stores, published weekly influenza monitoring reports during flu season, and investigated cancer cluster inquiries.

**Emergency Preparedness Efforts**
The CCBH serves as the lead agency for the County’s Emergency Operations Plan for biological response events and as a support agency for other (non-biological) response events. It also assisted communities with developing plans to provide community wide medications/vaccinations in response to an immediate health threat while the CERT teams serves as the backbone for the county wide rapid response to provide medication (pills/vaccinations) to residents. During the H1N1 campaign, the CCBH provided the City with a $9,000 grant to help with advance planning.
Environmental Public Health
Other areas that the CCBH provides services is food safety, Smoke Free Ohio, school environments, swimming pool safety, bedbug education and outreach, rodent control, mosquito control, rabies prevention, and watershed protection. Mr. Allan noted that eleven (11) restaurants in University Heights have been recognized with the “Be Food Safe” award. They conducted 31 investigations for rodent control in University Heights in 2010. The CCBH has treated 479 locations in University Heights for mosquito control at a cost of $2,035.75 and provided information to residents regarding prevention of the West Nile Virus. They have also dropped oral rabies vaccine baits each year and investigated seven (7) animal bites in University Heights.

Community Health I
Under this area, the CCBH provides a Vaccine Preventable Disease Program, Help Me Grow, and Starting Point - special needs child care.

Community Health II
Under this area, the CCBH provides school health services, the Lead Poisoning Prevention & Healthy Homes Program, and services to the Bureau of Children with Medical Handicaps.

Community Health III
The CCBH conducts a child fatality review through a collection of data on all child deaths in Cuyahoga County. They also conduct a Safe Sleep Campaign to reduce the risk factor for SIDS. They also work with other agency in the county to try and reduce risk factors relating to abuse and neglect. In addition, the CCBH provides Breast and Cervical Cancer Program Outreach. They screened over 2,000 woman and assisted 140 women, who did not have insurance, with obtaining treatment for cancer.

Community Health IV
The CCBH provides senior injury prevention services and dental options regional referral program for free or low cost dental care.

Community Health V
The CCBH provides programs to prevent premature fatherhood, teen pregnancy prevention, and family planning services.

Mr. Allan stated that the challenges facing the CCBH includes: long term funding stability; advancing the evidence in community prevention of chronic disease; addressing health equity and the social determinants of health; and helping to build a healthy workforce in Greater Cleveland.

Mayor Infeld mentioned that the Board of Health has a magazine rack in the main lobby of City Hall with a lot of educational information.

Vice Mayor Goldberg inquired what is anticipated in terms of State funding and also how the new form of County government will impact the CCBH. With regard to State funding, Mr. Allan replied that the State budget does not look good and State and federal funds are being reduced. He added that there are discussions that the new Governor would like to reduce the number of State agencies. HB25 which was introduced in 2009, reduces the number of State agencies from 24 to 11. They will have to wait and see how this ends up. Regarding the new form of County government, Mr. Allan noted that the Charter amendment for County Council speaks to the County proper, not the CCBH. He noted that he has worked effectively with the County for many years and he does not expect that to change. He added that there are budget challenges at the County as well.

Councilman Bullock inquired if chronic diseases are more prevalent in the urban areas. Mr. Allan replied that rates are higher in the urban areas. Mr. Bullock asked what the City could do to help work toward meeting the challenges that the CCBH faces. Mr. Allan replied that the community survey should include a question about what residents see as the biggest health issue they face in University Heights. He noted that the City should try to promote wellness, healthy eating, healthy choices, and people taking charge of their own health. The City should encourage its employees to start thinking about prevention and to be screened for cholesterol, blood sugar, and blood pressure. It should also look for opportunities for people to be active in community.

B. Motion to approve the 2011 contract for public health services provided by the Cuyahoga County Board of Health

The 2011 contract for public health services has been submitted by the Cuyahoga County Board of Health. The Board of Health is maintaining a uniform rate of $3.70 per person throughout the health district, which amounts to an annual cost of $52,340.00 for 2011.

MOTION BY MR. SIMS, SECONDED BY MR. BULLOCK to approve the 2011 contract with the Cuyahoga County Board of Health for public health services, in the amount of $52,340.00. On roll call, all voted “aye.”
C. Ordinance No. 2010-70 To create a special revenue fund known as the Ashurst Community Garden Grant Fund 219 (2nd Reading)

Ordinance No. 2010-70, which was presented on first reading on November 15, 2010, creates a special revenue fund known as the Ashurst Community Garden Grant Fund 219.

Finance Director Jennifer Esarey reported that the account is being created in order to properly account for and allocate the revenues and expenditures of the grant funds received from the Northeast Ohio Regional Sewer District as authorized by Ordinance No. 2010-52 for the Ashurst Community Garden Project located at 2603 Ashurst Road. Mayor Infeld stated that as suggested by Councilman Sims in the future when grants are accepted, the new fund associated with the grant will be created within the same ordinance.

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to approve the passage of Ordinance No. 2010-70. On roll call, all voted “aye.”

D. Ordinance No. 2010-71 Amending Section 1424.02 of the Codified Ordinances by amending the amount of certain building permit fees (1st Reading)

Ordinance No. 2010-71 amends Section 1424.02 of the Codified Ordinances by increasing the amount of certain building permit fees as follows:

1424.02(f) Accessory buildings residential increased from $30.00 to $60.00;
1424.02(l) Fences increased from $20.00 to $35.00;
1424.02(m) Decks increased from $30.00 to $50.00;
1424.02(n) Three or more replacement windows and/or doors increased from $20.00 to $35.00.

Vice Mayor Goldberg stated that the increase in fees for building permits, residential plumbing permits and electrical permits were reviewed at the Building Committee meeting of November 9, 2010. The committee recommended to present Ordinance Nos. 2010-71, 2010-72 and 2010-73 to the Council for passage. She noted that the increases brings the fees in line with neighboring communities. Building Commissioner David Menn noted that the fees have not been raised overall since 2001. He added that with the proposed increase, the fees are lower than or equal to neighboring communities.

Ordinance No. 2010-71 was presented on first reading.

E. Ordinance No. 2010-72 Amending Section 1424.04(a) of the Codified Ordinances by amending the base fee amount for residential plumbing permits (1st Reading)

Ordinance No. 2010-72 amends Section 1424.04(a) of the Codified Ordinances by increasing the base fee amount for residential plumbing permits from $20.00 to $35.00.

Ordinance No. 2010-72 was presented on first reading.

F. Ordinance No. 2010-73 Amending Section 1424.05 of the Codified Ordinances by amending the amount of certain electrical permit fees (1st Reading)

Ordinance No. 2010-73 amends Section 1424.05 of the Codified Ordinances by increasing the amount of certain electrical permit fees as follows:

1424.05(a) Base fee (residential) increased from $25.00 to $35.00;
1424.05(b)(2) For electrical repairs to single-family and two-family dwellings increased from $10.00 to $25.00.

Ordinance No. 2010-73 was presented on first reading.

G. Ordinance No. 2010-74 Authorizing John Carroll University to erect 125th Anniversary signs in U-1, U-2, and U-5 Zoning Districts for a period of January 15, 2011 through December 31, 2011 upon the approval of the Safety Director and applicable utility companies (1st Reading)

Ordinance No. 2010-74 authorizes John Carroll University to erect 125th Anniversary signs in U-1, U-2, and U-5 Zoning Districts and on utility poles in the public right-of-way for a period commencing January 15, 2011 through December 31, 2011 upon the approval of the Safety Director and applicable utility company owners.
Mrs. Dora Pruce, director of Government and Community Relations, John Carroll University, reported that 2011 will be the 125th Anniversary of John Carroll University, and the university will be celebrating for the entire calendar year. Mrs. Pruce stated that the request is to display banners mounted on electric utility poles near the campus starting in late January of 2011. She displayed the two (2) designs of banners being proposed, which measure approximately 71” long by 30” wide. Forty (40) banners are proposed to be located around Fairmount Circle, along North Park Boulevard, and South Belvoir Boulevard. The two designs would be alternated with one another and hung between 10’-20’ above ground. Mrs. Pruce noted that Terry Killeen, the External Affairs Manager with FirstEnergy, performed a field inspection and provided the university with guidelines for temporary banners. She added that John Carroll University will enter into an agreement with FirstEnergy.

Councilman Ertel offered congratulations on JCU’s 125th Anniversary. He noted that the banners look very nice and would make a nice addition to the perimeter of the campus and the city. Mr. Ertel inquired if the existing brackets would be removed. Mrs. Pruce stated that the existing brackets would be removed and new brackets will be installed.

**Ordinance No. 2010-74** was presented on first reading.

**H. Ordinance No. 2010-75 Appropriating funds for current expenses and other expenditures of the City for the period commencing January 1, 2011 and ending March 31, 2011 (1st Reading)**

Ordinance No. 2010-75 appropriates funds for current expenses and other expenditures of the City for the period commencing January 1, 2011 and ending March 31, 2011.

Councilman Sims stated that the ordinance will be reviewed at the Finance Committee meeting to be held on Thursday, December 16, 2010 at 7:00 p.m. in City Hall Council Chambers. Finance Director Jennifer Esarey added that the temporary appropriation ordinance will allow the City to operate for the 1st quarter of 2011 until a permanent budget is passed.

**Ordinance No. 2010-75** was presented on first reading.

**I. Ordinance No. 2010-76 To enter into an agreement for recycling processing services**

Ordinance No. 2010-76 authorizes the Mayor to enter into an agreement for recycling processing services with Penn Ohio Coal Co., D/B/A Kimble Transfer & Recycling.

Councilman Ertel stated that the ordinance is being presented as a follow-up to Ordinance No. 2010-20, which authorized the City to participate in a consortium with eleven (11) other cities in order to issue request for proposals for recycling processing services. Five proposals were submitted and the consortium has recommended that the communities award the contract for recycling processing service to Kimble Transfer & Recycling.

Mayor Infeld stated that the contract would be for five years and would give the City money back on its recycling materials. She added that the City is guaranteed to not have to pay for recycling services in the 5-year contract period.

**MOTION BY MR. ERTEL, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2010-76 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. 2010-77 Amending Ord. No. 2010-37 by providing additional funds in an amount not to exceed $20,215.00 for the purchase and installation of a generator for the fire pumper truck**

Ordinance No. 2010-77 amends Ordinance No. 2010-37 by providing additional funds in an amount not to exceed $20,215.00 for the purchase and installation of a generator for the fire pumper truck.

Councilman Bullock stated that this item was discussed at the Safety Committee meeting on November 22, 2010 and he relinquished the floor to Fire Chief John Pitchler. Chief Pitchler reported that when the City received the grant to purchase the new pumper truck the plan was to use the existing generator; however, it was discovered that the electrical breaker on the generator was being blown 25% of the time while conducting performance drills. He noted that this is unacceptable at a fire scene because the firefighters would lose exterior and interior lighting.
Chief Pitchler looked for various options and found the best choice was to purchase a PTO generator. Fire Chief Pitchler recommended that the generator be purchased in order to provide the safety needed for department personnel at the fire scene.

Councilman Bullock stated that the reaction of the Safety Committee and other Council members who were present at the committee meeting was that this is an area that cannot be anything less than a level of excellence in terms of response and ability to perform at a fire scene. He mentioned that they will salvage some parts of the existing fire truck, but not the generator. Mr. Bullock stated that it was the Safety Committee’s recommendation that the ordinance be presented for approval.

Ms. Esarey stated that since this expense is known, the majority of the cost will come out of the fire department’s budget, but the remainder will be split among different departments. Mr. Bullock added that there is no intent to increase the budget, but rather to find the $20,000 within the budget.

**MOTION BY MR. BULLOCK, SECONDED BY MRS. PARDEE to approve the passage of Ordinance No. 2010-77 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. 2010-78 Authorizing Transfers (1st Reading)**

Ordinance No. 2010-78 authorizes the transfer of funds from the General Fund to the Police Pension Fund in the amount of $103,668 and to the Fire Pension Fund in the amount of $124,344.

Ms. Esarey reported that the 3rd quarter billing statements for 2010 Police & Fire Pension have been received. Ordinance No. 2010-78 is being introduced to transfer funds in order to issue payments on the statements. The transfers have been budgeted. Ms. Esarey noted that the ordinance will also be discussed at the Finance Committee meeting on December 16, 2010.

**Ordinance No. 2010-78 was presented on first reading.**

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

**MOTION BY MR. ERTEL SECONDED BY MRS. PARDEE to hold an executive session immediately following this regular meeting for the purpose of discussing pending litigation and personnel matters. On roll call, all voted “aye.”**

Directors’ Reports:

**Finance Director** Jennifer Esarey reported that there will be a Finance Committee meeting on Thursday, December 16, 2010 at 7:00 p.m. in Council Chambers. Items to be discussed include: Police and Fire Pension transfer ordinance, the 2011 temporary appropriation ordinance, comparing figures from the 2010 temporary appropriations, and reviewing actual numbers through November 30, 2010.

Mayor Infeld thanked Ms. Esarey for her efforts regarding the reinstatement of the preferred rating status with the Bureau of Workers’ Compensation for 2009.

**Fire Chief** John L. Pitchler reported that the CERT Teams throughout the county have decide to form an association. Benefits of organizing an association will be standardized identification, standardized training, and the association will seek State and federal grant funding.

**Acting Service Director** John Pucella reported that the snow plow crews have been called in early and staying late in response to the snow storm. He noted that the department is working with the City of Cleveland Heights in order to get the salt to University Heights in a timely manner. Mr. Pucella mentioned that the sensible salting policy is in effect. Under the policy salting is limited to the main roads, secondaries, intersections, and hills. Mr. Pucella added that leaf pick up will resume once the snow subsides. He noted that after existing piles are cleared away, all other leaves must be bagged for pick up on the regular rubbish day.

Councilman Ertel inquired what will happen with leaf pick up if it continues to snow until spring. Mr. Pucella responded that the leaves will be picked up in the spring. Councilman Bullock asked if it would help if the leaves were bagged. Mr. Pucella responded yes, the bags would then be picked up on the regular rubbish day. Mayor Infeld mentioned that residents were informed of the time period for leaf season. She noted that existing piles will be picked up, but hopes that new piles will not appear.
Councilman Sims inquired if all the salt has been ordered for the season. Mr. Pucella stated that the current supply is adequate to get through December 31, 2010 and more salt will be ordered in January. Ms. Esarey added that an order has not be placed for the 2010-2011 season because there is enough salt in reserve at the City of Cleveland Heights. She added that for budgetary purposes they are trying to wait to place an order until January 1, 2011, if possible. Mayor Infeld added that the City is permitted to make incremental purchases during the established time period.

Committee Reports:

**Finance Committee** Chairman Steven Sims did not have a report, but Mayor Infeld referred the contract for senior transportation to the Finance Committee along with the Civic Information Committee.

**Governmental Affairs Committee** Chairman Susan Pardee reminded everyone that the Cleveland Heights High School Alumni Foundation event is Thursday, December 9, 2010 from 7-10 p.m. at the Rockefeller Building. The funds raised at the event will be used to support high school students through grants.

Councilwoman Pardee hoped there would be follow-up on the NOPEC grant. Mrs. Pardee note that her contacts across the country will alert her to federal grant opportunities. She stated that the Police and Fire Chiefs are very good at locating grant opportunities.

Councilwoman Pardee presented a written summary of the planning sessions with three (3) local experts regarding planning for municipalities. She noted that several Council members wish to identify two (2) to three (3) priorities for 2011 and make sure that they are accomplished. Mrs. Pardee agreed that identifying short-term practical priorities that can be achieved successfully this is the way to proceed.

Councilman Pardee stated that it is also important to take the time to establish the long-term strategic plans together as well. Mrs. Pardee stated that she is aware that the City has little or nothing to budget for this endeavor, but she believes there is a way to advance the work without allocating significant funds and she is committed to this.

Councilwoman Pardee reviewed the written planning update which she presented. It included definitions of various planning disciplines, which are: strategic planning, performance planning, and urban planning. It also includes a background summary of the three planning sessions with Paul Alsenas and Kristin Hopkins of the Cuyahoga County Planning Commission, Kevin O’Brien of Cleveland State University, and David Hartrt of D.B. Hartt, Inc. Planning and Development Consultants. It listed the resources that the City currently has to work with, which includes: 1) Master Plan created by Hunter Morrison and Association (2003), 2) Needs Assessment Study created by Herman Gibans Fodor, Inc., Architects (2008), and 3) Exceptions Analysis created by NEO|SO (2010). It laid out the first steps to be taken and guiding questions to ask. She noted that community engagement is an important factor and was pleased that Mayor Infeld has started that process.

Councilwoman Pardee presented three (3) short-term recommendations:

1. **Update the Master Plan**
   - Review by Governmental Affairs Committee
2. **Proceed with Land Use Planning with Key Stakeholders;**
   - Talk with contact and determine how to proceed without utilizing large funds
3. **Pursue Strategic Planning through Community Engagement.**
   - Survey

Mrs. Pardee also presented the ultimate outcomes of the planning process:

1. An updated Master Plan for land use purposes and CDBG applications;
2. A strategic direction for the next 3-5 years;
3. Input from 75% of the community;
4. Active committees to pursue attainment of selected goals.

Councilwoman Pardee requested that the planning update be reviewed in preparation for a Government Affairs Committee meeting in January.

**Recreation Committee** Chairman Kevin Patrick Murphy reported that he will hold a committee meeting in January to recap the 2010 summer recreation season.

**Service and Utilities Committee** Chairman Phillip Ertel reported that he will schedule a meeting in January to focus on the rubbish study.
Safety Committee Chairman Steven D. Bullock inquired as to when the new pumper truck would arrive. Fire Chief Pitchler replied that it should be delivered by mid-March.

Councilman Bullock stated that a Safety Committee meeting will be scheduled prior to the end of the year.

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

________________________________________
Susan K. Infeld, Mayor

Nancy E. English, Clerk of Council