

MINUTES OF COUNCIL MEETING  
CITY OF UNIVERSITY HEIGHTS  
DECEMBER 7, 2009

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

Roll Call: Present: Mrs. Adele H. Zucker  
Ms. Frankie B. Goldberg  
Mr. Steven D. Bullock  
Mr. Peter R. Bernardo  
Mr. Frank Consolo  
Mr. Steven Sims

Absent: Mr. Kevin Patrick Murphy

Also Present: Clerk of Council Nancy E. English  
Acting Law Director Dennis Nevar  
Finance Director Anthony Ianiro  
Chief of Police Gary Stehlik  
Fire Chief John Pitchler  
Service Director Christopher Vild  
Building Commissioner David Menn  
Community Coordinator Walter Stinson  
City Engineer Joseph R. Ciuni

**MOTION BY MR. SIMS, SECONDED BY MR. BERNARDO to excuse the absence of Mr. Murphy. On roll call, all voted “aye.”**

Minutes of the regular meeting held on November 16, 2009

There were no corrections or additions to the minutes of November 16, 2009.

**MOTION BY MRS. ZUCKER, SECONDED BY MR. SIMS to approve the minutes of the November 16, 2009 meeting. On roll call, all voted “aye.”**

Comments from the Audience:

Frankie Winston, 2316 Allison Road, requested that the City reconsider its salting policy and reinstate the salting of side streets during the winter months. She mentioned that the streets become a sheet of ice when they are plowed and not salted, which is very hazardous. Service Director Christopher Vild stated that he is operating under the sensible salting policy instituted last year and entered into the salt contract accordingly. Mayor Rothschild stated that last year’s salting policy was implemented as an emergency situation because of the salt shortage. She recommended that the salt policy be reviewed by the new administration in conjunction with the Council.

Sarah Wilder, 3706 Meadowbrook Blvd., offered written suggestions to promote collaboration and involvement of University Heights residents in order to regain a sense of community and to promote greater openness and transparency. These suggestions include: seek input from residents; restore the Series of Discoveries; have an employee appreciation event; meet with groups of residents throughout the city; appoint a committee to help develop an action plan to open a University Heights Senior Citizen Center; develop a support network to help Cleveland Heights-University Heights students succeed academically and socially; and launch a year round initiative to reduce hunger and improve health and wellness. Mayor Rothschild thanked her for the suggestions and stated that the next administration and Council would most likely consider them.

Ken Eiker, 2462 Laurelhurst Road, inquired as to the validity of a letter to the editor published in the Sun Press which indicated that Council may establish the city administrator position by ordinance even though it was defeated by a large margin by the voters. Mayor Rothschild mentioned that the newly elected Council members have not taken office yet, but the letter indicated that no Council should try to create the administrator position in the Code because it would cause the residents to rise up. Mr. Eiker urged the Council not to attempt to establish the position without a vote of the people. He suggested that the Council move on to other matters.

Agenda Items:

**A. Ordinance No. 2009-66 Appointing Dennis A. Nevar as Acting Law Director**

Ordinance No. 2009-66 appoints Dennis A. Nevar as Acting Law Director and establishes compensation at \$2,000 per month paid bi-weekly.

**MOTION BY MR. CONSOLO, SECONDED BY MR. BULLOCK to approve the passage of Ordinance No. 2009-66 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”**

Mayor Rothschild administered the oath of office to Mr. Nevar.

Agenda item “E.” was considered at this point in the meeting, but for the purpose of these minutes, the agenda items are denoted in proper order.

**B. Ordinance No. 2009-64 Establishing temporary appropriations for the period commencing January 1, 2010 and ending March 31, 2010 (2<sup>nd</sup> Reading)**

Ordinance No. 2009-64, which was placed on first reading on November 16, 2009, appropriates funds for the current expenses and other expenditures of the City for the period commencing January 1, 2010 and ending March 31, 2010.

**MOTION BY MR. SIMS, SECONDED BY MR. BULLOCK to approve the passage of Ordinance No. 2009-64 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. 2009-65 Authorizing tax advances during the fiscal year beginning January 1, 2010 through December 31, 2010 (2<sup>nd</sup> Reading)**

Resolution No. 2009-65, which was placed on first reading on November 16, 2009, authorizes the County Auditor to advance funds from the proceeds of tax levies for the period of January 1, 2010 to December 31, 2010.

**MOTION BY MR. SIMS, SECONDED BY MR. BERNARDO to approve the passage of Resolution No. 2009-65 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”**

**D. Ordinance No. 2009-67 To award the contract for the Audio/Video Surveillance System for the Police Department**

Ordinance No. 2009-67 awards the contract for the Audio-Video Surveillance System for the Police Department to American, Inc., the lowest and/or best bidder, in an amount not to exceed \$24,750. Chief of Police Gary Stehlik reported that bids were opened on October 29, 2009 for the audio/video surveillance system. Ten bids were received. Chief Stehlik recommended that the bid be awarded to the low bidder, American, Incorporated. It was noted that the purchase is grant funded.

**MOTION BY MR. BULLOCK, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2009-67 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”**

**E. Resolution No. 2009-68 To commend the Cleveland Heights-University Heights Public Library System for its recent “5-Star” Rating from the Library Journal**

Resolution No. 2009-68 commends the Cleveland Heights-University Heights Public Library System for recently being awarded its second “5-Star” rating from the Library Journal. Mayor Rothschild presented the resolution to Ms. Aurora Martinez, manager of the University Heights Branch Public Library.

**MOTION BY MRS. ZUCKER, SECONDED BY MS. GOLDBERG to approve the passage of Resolution No. 2009-68. On roll call, all voted “aye.”**

**F. Motion to authorize payment to the City of Cleveland Heights for the resurfacing of South Taylor Road (Cedar to Silsby)**

City Engineer Joseph R. Ciuni reported that he received detailed information from the City of Cleveland Heights on the final costs for the resurfacing of University Heights' portion of South Taylor Road from Cedar Road to Silsby Road. The final cost was \$56,344.98. Mr. Ciuni stated that the work has been inspected, and he recommended payment.

**MOTION BY MR. SIMS, SECONDED BY MS. GOLDBERG to authorize the payment of \$56,344.98 to the City of Cleveland Heights for resurfacing a portion of South Taylor Road. On roll call, all voted "aye."**

**G. Update on the Exceptions Analysis Report**

Mayor Rothschild reported that the Exceptions Analysis oversight team consisted of herself, Clerk of Council Nancy English, Community Coordinator Walter Stinson, Chief of Police Gary Stehlik, Councilman Steven D. Bullock, Councilman Kevin Patrick Murphy and Councilwoman Frankie Goldberg was an alternate. Mayor Rothschild reported that a preview of the findings will be provided to the incoming Mayor on Tuesday, December 8, 2009; a written summary of the report findings will be provided to the Mayor and Council during the week of December 14<sup>th</sup>; Ebie Holst of NEO|SO will attend the Council of December 21, 2009 to respond to questions; and NEO|SO will make a formal presentation of the Exceptions Analysis at the Council meeting on January 19, 2010. Mayor Rothschild stated that the matter is being carried over to the new administration, but she will attend the Council meeting of January 19<sup>th</sup> to see the project through since it was started under her tenure. She also mentioned that NEO|SO has been paid in full through two installments. Ms. Goldberg suggested that a larger room be secured for the January 19, 2010 Council meeting. Mayor Rothschild will let the new administration decide if a larger venue will be secured.

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

Acting Law Director Dennis A. Nevar advised officials that it would be improper to hold an executive session relative to the preliminary findings of the State Auditor at this meeting because Mr. Arman Ochoa is no longer a public employee and any investigation into him is not being conducted by the City, but rather is being conducted criminally. Mayor Rothschild mentioned that the final findings of the investigation should be presented in late January.

Directors' Reports:

**Acting Law Director Dennis A. Nevar** thanked Council for its consideration of his appointment. Mr. Nevar stated that he looks forward to working with the City during this transitional period.

**Service Director** Christopher Vild reported that the leaf collections crews are in the process of making the eleventh and final pass through the city. Mayor Rothschild mentioned that she has not received any complaints regarding leaf pickup and thanked Mr. Vild for a job well done.

**Community Coordinator** Walter Stinson reported that the Heights-Hillcrest Regional Chamber of Commerce Board of Directors met at University Heights City Hall in Council Chambers on Tuesday, December 1, 2009 and was appreciative of the opportunity to meet and renew its association with the City.

Mr. Stinson also reported that the 20<sup>th</sup> annual meeting of the Reaching Heights Foundation will take place at 7:00 p.m. on Tuesday, December 8, 2009 at Cleveland Heights High School.

**Building Commissioner** David Menn reported that the signs in honor of Mayor Rothschild and Vice Mayor Zucker have been installed on the Purvis Park pool building and pavilion. He also reported that the chair lift for City Hall is to be shipped on December 11, 2009 and installed on December 16, 2009. Mr. Menn also informed Council that the generator which serves the police and fire departments went down. A temporary generator was brought in until the permanent generator can be repaired on Wednesday, December 9, 2009. Mayor Rothschild stated that she authorized the emergency repair, which will cost \$4,000.

Committee Reports:

There were no committee reports, but Mayor Rothschild reviewed the items on the Committee of the Whole agenda. She pointed out that the update of the Zoning Code is critical to future development in the city.

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

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Mayor Beryl E. Rothschild

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Nancy E. English, Clerk of Council