

MINUTES OF COUNCIL MEETING  
CITY OF UNIVERSITY HEIGHTS  
FEBRUARY 19, 2008

Mayor Rothschild called the meeting to order at 7:36 p.m.

Roll Call: Present: Mrs. Adele H. Zucker  
Mr. Kevin Patrick Murphy  
Mr. Peter R. Bernardo  
Mr. Frank Consolo  
Mr. Steven Sims  
Mr. Steven D. Bullock

Absent: Ms. Frankie B. Goldberg

Also Present: Acting Clerk Kelly M. Thomas  
Law Director Kenneth J. Fisher  
Finance Director Arman R. Ochoa  
Chief of Police Gary Stehlik  
Service Director Christopher Vild  
Executive Fire Captain Steve Ineman  
City Engineer Joseph R. Ciuni

**MOTION BY MR. CONSOLO, SECONDED BY MR. SIMS to excuse the absence of Ms. Goldberg.  
On roll call, all voted "aye."**

Minutes of the regular meeting held on February 4, 2008

The minutes of February 4, 2008 will be presented at the next meeting.

Black History Month Program - Presentation by Wiley Middle School Challenge Choir

Jeffrey Golden, president of Wiley Student Council, thanked the City for the invitation to the Challenge Choir to perform a tribute for Black History Month. The Challenge Choir led by Mr. Glenn Brackens performed "The Negro National Hymn," *Lift Every Voice and Sing*, a modern arrangement of an old Negro spiritual, and *Amazing Grace*, which was dedicated to former Councilman Elijah L. Wheeler.

Mayor Rothschild thanked the choir for coming and Mr. Elijah Wheeler for arranging the program. Vice Mayor Zucker stated that the program was outstanding and the choir was wonderful.

Agenda Items:

**A. Motion to approve a letter of agreement regarding storing road salt in Cleveland Heights storage facility as a pilot project**

Law Director Kenneth J. Fisher stated that there is one outstanding issue with the Road Salt Storage Agreement with the City of Cleveland Heights, which involved an option under paragraph "3" to continue the agreement beyond the one-year term on an annual basis. Mr. Fisher stated that he has relied on Service Director Christopher Vild with respect to the charges for loading the salt. Mayor Rothschild stated that the fees were discussed with representatives of Cleveland Heights. Mr. Vild confirmed that \$1.24 per ton during regular working hours and \$1.40 per ton during non-business hours are fair rates.

Mr. Bernardo inquired as to the total amount of the contract for 6,000 tons of salt. Mr. Vild replied that the 6,000 tons is an estimated amount per season, so the total amount is yet to be determined because the total amount will be based on the amount of salt actually used. Mr. Vild explained that the dedicated salt storage garage on the U. H. City Hall campus will be used first and in the event that salt is exhausted then the crews will utilize the Cleveland Heights storage facility.

Mr. Consolo asked Mr. Vild how much the City is paying for road salt. Mr. Vild replied that University Heights currently pays \$36.69 per ton for salt from the Northeast Ohio Sourcing Office (NEOSO) and the City of Cleveland Heights purchases their salt under the State Purchasing Program through the Ohio Department of Transportation (ODOT) from Cargill Salt at \$2-\$3 a ton less than what University Heights pays.

In regard to paragraph "4" of the agreement, Mr. Consolo inquired as to what vendor would be used if the contract for the purchase of salt in the future was jointly bid with the City of Cleveland Heights versus purchasing through NEOSO. Mr. Vild replied that the contract would have to be bid for the 2008-2009 winter season because both Cleveland Heights' contract with Cargill Salt and University Heights' contract with NEOSO are for the 2007-2008 season only.

Vice Mayor Zucker inquired if Cleveland Heights is willing to offer University Heights salt at the same rate which they pay or would it be at a higher rate per ton. Mr. Vild replied that it would be at the same rate, but there would still be handling charges in addition.

Mr. Sims requested a presentation on the anticipated costs under the proposed agreement as well as how the \$60 per hour handling charge was derived. Mr. Vild stated that he could use the actual figures from the last five (5) years to show the cost comparisons under the proposed agreement. Mr. Bernardo stated that the comparison would be important to determine how much the Council will be committing the City to over the next few years. Mr. Sims added that it is important to him because the Council will be committing the City to expenses that it does not currently incur.

Mr. Fisher asked Mr. Vild to find out if the \$1.83 per ton and the \$2.06 per ton in paragraph "1" for the transfer of salt from the dumping spot to the salt facility floor is negotiable if the salt is coming from the same vendor.

Mr. Bernardo inquired if the City of Cleveland Heights will make money off of University Heights under the proposed contract. Mr. Vild responded that he believes Cleveland Heights is covering its costs. Mr. Sims stated that the labor costs may be reasonable, but he reiterated that he would like more information on how the \$60 per hour handling charge was derived. Mr. Bernardo stated that \$60 per hour seems high and inquired if \$60 per hour is comparable to the cost of using our equipment. Mr. Vild will investigate.

**MOTION BY MR. CONSOLO, SECONDED BY MR. MURPHY to table the motion to approve a letter of agreement regarding storing road salt in Cleveland Heights facility as a pilot project. On roll call, all voted "aye."**

**B. Motion to accept bid for the 2008 Catch Basin and Inlet Cleansing Program**

City Engineer Joseph R. Ciuni reported that bids were opened on February 14, 2008 for the 2008 Catch Basin and Inlet Cleaning Program. Three (3) bids were received. The low bid was submitted by Ake Laboratory in the amount of \$16,110. Under the project approximately 350 catch basins will be cleaned as well as the cleaning and flushing of storm and sanitary sewer mains in the street. Mr. Ciuni recommended that the City enter into a contract with Ake Laboratory as the lowest and best bid.

Mr. Sims inquired as to when the City advertises for bids and when informal bids (quotes) are obtained. Mr. Fisher responded that in accordance with Section 212.01 of the Codified Ordinances, contract or agreements which involve expenditures of \$15,000 or less may be made without published notice and without competitive bid. However, contracts in excess of \$5,000 shall require approval of a majority of Council by motion or ordinance. Mr. Ochoa noted that at least two quotes are received for expenditures between \$5,000 and \$15,000. Mr. Fisher stated that even though the Ohio Revised Code has raised a procurement bid to \$25,000, the City of University Heights chose to remain at \$15,000. Mr. Ciuni added that public improvements are usually bid unless it is an emergency situation or instructed otherwise by Council. It was also noted that the City does not have to bid if a purchase is made under the State Purchasing Program or from a sole source vendor. Mr. Murphy suggested raising the bid threshold to \$25,000 to save the City the significant cost of bidding.

Mr. Bernardo inquired as to what percentage of the budget is under the \$15,000 which is not bid. Mr. Ochoa replied that he does not have the number – adding there are four or five contracts bid every year, such as the catch basin program, street resurfacing, major road programs, etc.

**MOTION BY MRS. ZUCKER, SECONDED BY MR. BULLOCK to accept the bid of Ake Laboratory as the lowest and best bid in the amount of \$16,110 for the 2008 Catch Basin and Inlet Cleansing Program. On roll call, all voted "aye."**

**C. Motion to accept bid for Tree Removal**

Mr. Vild reported that there are thirty-six (36) tree lawns trees in a state of decline and pose a liability to the City. Mr. Vild stated that he solicited informal bids from four (4) companies to remove the trees and stumps. Three companies responded. Mr. Vild recommended accepting the bid from Woodland Tree Service as the lowest and best bid for this work. He also noted that the new trees will be planted in those locations.

**MOTION BY MRS. ZUCKER, SECONDED BY MR. BERNARDO to accept the informal bid of Woodland Tree Service as the lowest and best bid in the amount of \$13,100 for the removal of thirty-six (36) tree lawn trees and stumps. On roll call, all voted "aye."**

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

**MOTION BY MRS. ZUCKER, SECONDED BY MR. BULLOCK to hold an executive session for discussion of the possible purchase of real property. On roll call, on voted "aye."**

Directors' Reports:

Vice Mayor Zucker inquired if the lot split with the Heights Jewish Center for the tennis courts has to be done soon. City Engineer Joseph Ciuni replied that it does since the lot split plat is required to be recorded for the quit claim deed and for tax purposes.

Committee Reports:

**Civic Information Committee** Chairman Frank Consolo reported that he will meet with Tim Parnin of Parnin Media on Thursday, February 21, 2008 to discuss maintenance and updating of the City's website. He noted that additional meetings with his committee or the entire Council may be scheduled depending on the outcome of this initial meeting. Vice Mayor Zucker requested that the email regarding problems with the website be addressed with Mr. Parnin.

**Safety Committee** Chairman Steven D. Bullock did not have a report, but requested that Mayor Rothschild report on the meeting regarding CityWatch.

Mayor Rothschild reported that she and Chief Pitchler met with new Mayor Earl Leiken of Shaker Heights and other personnel from Shaker Heights and Cleveland Heights regarding the CityWatch program (reverse 911). She noted that everyone was in agreement to do it, but some people had not seen the demonstration. Therefore, it was decided that a meeting would be held to present the CityWatch demonstration. The date and time will be announced. Mayor Rothschild noted that other systems of notification have been investigated, but everyone agreed that CityWatch is the best. She added that the system would be more cost effective if operated through the joint dispatch.

Mr. Bullock stated that the system has so many other uses beside emergency notification and he encouraged everyone to see the demonstration.

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