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

Roll Call: Present: Ms. Frankie B. Goldberg (not at roll call)
Mr. Steven Sims
Mrs. Susan D. Pardee
Mr. Phillip Ertel
Mrs. Pamela Cameron
Mr. Thomas A. Cozzens
Mrs. Adele H. Zucker

Also Present: Interim Law Director Kenneth J. Fisher
Clerk of Council Nancy E. English
Chief of Police Steven Hammett
Interim Fire Chief David Rodney
Service Director Robert Jamieson
Building Commissioner David Menn
City Engineer Joseph Ciuni

Mayor Infeld mentioned that Vice Mayor Goldberg informed her that she would arrive late to the meeting.

**MOTION BY MR. COZZENS, SECONDED BY MRS. ZUCKER to excuse the absence of Vice Mayor Goldberg. On roll call, all voted “aye.”**

**Pledge of Allegiance**

**Minutes of the Regular Meeting of February 6, 2012**

There were no corrections or additions to the minutes of the regular meeting of February 6, 2012.

**MOTION BY MRS. PARDEE, SECONDED BY MR. COZZENS to approve the minutes of February 6, 2012 as presented. On roll call, all voted “aye.”**

**Comments from the Audience:**

Sheila Hubman, Ashurst Road resident, inquired as to why agenda item “B,” Resolution No. 2012-05, authorizing an agreement with Thomas M. Morgan for the development of the 2012 City of University Heights Urban Forestry Management Plan, is being presented on an emergency basis. She asked if other vendors were considered and why Mr. Morgan was chosen. Mrs. Hubman wanted to know more about Mr. Morgan’s background and whether he has been employed by other cities.

Michael Brennan, 3814 Washington Blvd., was in favor of the Saybrook Park initiative by which citizens have requested that the City acquire the former Fuchs Mizrachi School property for the purpose of converting it into a park. He thanked Mayor Infeld and Councilwomen Pardee and Cameron for attending the Citizens for Saybrook Park meeting on February 21, 2012.

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

Mayor Infeld reported that the Citizens for Saybrook Park hosted a meeting at the University Heights Public Library on February 21, 2012 at 6:30 pm.

Mayor Infeld also reported that the Cleveland Heights-University Heights City School District will hold a Master Facilities Planning meeting for the community on Wednesday, February 22, 2012 at 6:30 p.m. in the social room at Cleveland Heights High School.

**Agenda Items:**

**A. Ordinance No. 2012-04 Authorizing a contract with Land Networking for the 2012-2013 Emergency Sewer Repairs (Emergency)**

Ordinance No. 2012-04 authorizes the Mayor to enter into a contract with Land Networking for 2012-2013 Emergency Sewer Repairs in an amount not to exceed $78,875.00.
Ordinance No. 2012-04 was tabled at the meeting of February 6, 2012 pending more information on the company, Land Networking. City Engineer Joseph R. Ciuni reported that additional information was received from Land Networking LLC, which was distributed to the Council. The company has been in business for three (3) years. They provided information on equipment that is owned, past projects, and Bureau of Workers’ Compensation certificate. Mr. Ciuni recommended that the City enter into a contract with Land Networking LLC for the 2012-2013 Emergency Sewer Repairs as the lowest and best bid in the amount of $78,875.00. He added that unit pricing will be held for two (2) years.

Councilwoman Zucker inquired into the discrepancy between the bid of Land Networking and the other bids. Mr. Ciuni responded that Land Networking under the name of Thomas Hall Excavating has had the contract for the last two years and has knowledge of what the work entails and the other bidders may have read more into it. As an example, he noted that the unit price for “mobilization to town” in Land Networking’s bid was $450.00 while the other bids ranged from $1,500.00 to $5,157.50. Service Director Robert Jamieson added that he has been satisfied with the company’s work, noting that they have been very responsive and professional.

Councilman Sims inquired if the City has done business with Land Networking. Mr. Jamieson replied that the City has not done business with the company under the name of Land Networking, but has done business with Thomas Hall Excavating, which is affiliated with Land Networking. Mr. Ciuni added that the two companies are “sister companies.” Councilman Sims clarified that the City has not done business with Land Networking LLC.

Councilman Pardee appreciated the additional information. She noted that the list of projects show six (6) local projects that are accredited to Land Networking. Councilwoman Pardee stated that from the information it appears that Land Networking is operating as Thomas Hall Excavating under another name because they are renting all the equipment from Thomas Hall Excavating and both spouses are on the tax returns. She was comfortable with approving the contract upon the City Engineer’s recommendation.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to approve the passage of Ordinance No. 2012-04 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

B. Resolution No. 2012-05 Authorizing an agreement with Thomas M. Morgan for the development of the 2012 City of University Heights Urban Forestry Management Plan (Emergency)

Resolution No. 2012-05 authorizes the Mayor to enter into an agreement with Thomas M. Morgan for the development of the 2012 City of University Heights Urban Forestry Management Plan in an amount not to exceed $5,000 for a six (6) month term. The agreement is renewable for successive six (6) month terms upon the written approval of the parties.

Mr. Jamieson reported that the need to use the professional services of an arborist came to light last year when he started to create the City’s Urban Forestry Management Program due to the specificity of tree trimming, removal and inspection requirements. He mentioned that people who trim trees need to be properly trained and supervised by a certified arborist. Mr. Jamieson stated that in looking for someone to advise in that capacity, he wanted someone with a flexible schedule, reasonable costs, a lot of experience, and who would provide a good written record as to inspections and the system used, which could be expanded upon in the future. He noted that State Forester Alan Siewert recommended Mr. Morgan as a reliable person, who marketed his services to local communities. Mr. Morgan is a certified arborist, a certified horticulturist, teaches horticultural and arborist classes, is a former urban forester for the City of Cleveland Heights, and is currently the certified city arborist for the City of Lyndhurst. Mr. Jamieson stated that the City of Lyndhurst is very satisfied with Mr. Morgan’s work. He mentioned that other surrounding communities have employees on staff providing arborist services.

Mr. Jamieson mentioned that Mr. Morgan has been utilized for the City’s tree trimming programs on Bushnell Road and Saybrook Road. He added that in reviewing the trees on each street, Mr. Morgan inspected the viability of the tree and prescribed the type of work that needed to be done on each tree. In completing the work, he ensured that the work was done according to the City’s specifications and professional standards. It was noted that Mr. Morgan’s advice has proven its worth.
Mr. Jamieson stated that he requested a proposal for the City’s Urban Forestry Management Plan for 2012 which addresses all of the City’s needs and goals. He noted that there are several streets which need tree trimming work and inspection of private trees. Mr. Jamieson added that since the contract is for six (6) months, the program can be reviewed at the end term to determine if the work was satisfactory.

Mayor Infeld commented that the resolution was presented on emergency because the City is more likely to receive a better price from tree trimming companies during the winter months. Mr. Jamieson confirmed.

Councilman Sims stated that the service is needed and was glad a plan will be implemented. He mentioned that an Urban Forestry Management Plan is even more important to have with the tree disease spreading to the area. He hoped that the tree planting plan for Warrensville Center Road will continue in the future.

Councilman Sims inquired as to what will happen with the contract after the six-month period. Mr. Jamieson stated that the work and budget will be evaluated to determine if the plan should be revised or changed for the next six-month period. Councilman Sims stated that if the agreement is extended for another six-month period it would potentially be a contract for $10,000. If the service is continued, Councilman Sims encouraged the City to consider competitive bidding even though the $10,000 amount is under the $15,000 required amount for competitive bidding.

Law Director Kenneth J. Fisher advised that competitive bidding is not required because the contract is up to $10,000 for the calendar year. He noted that the contract is for a six-month period at $5,000 and can be renewed for an additional six-month period with the approval of the Mayor and the vendor. Mr. Fisher stated that the six-month term was to see how the program goes and to determine if the contract would be extended and/or whether the City would consider request for proposals (RFP). He added that Mayor Infeld and Mr. Jamieson have been satisfied with the consulting work provided by Mr. Morgan and it has proven to be beneficial in preserving trees in the city.

Councilwoman Pardee mentioned that the work under the contract is for maintenance of trees, but suggested that there be discussion regarding proactive work as well.

**MOTION BY MRS. PARDEE, SECONDED BY MR. SIMS to approve the passage of Resolution No. 2012-05 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”**

C. Motion to approve payment to the City of Shaker Heights for 2nd Half 2011 Shaker Heights Court Cost Reimbursement

An invoice was received from the City of Shaker Heights for the City’s portion of the Shaker Heights Municipal Court cost reimbursement for the six month period ended December 31, 2011 in the amount of $47,501.

**MOTION BY MRS. CAMERON, SECONDED BY MR. ERTEL to approve payment in the amount of $47,501 to the City of Shaker Heights for 2nd half 2011 Shaker Heights Municipal Court Cost Reimbursement. On roll call, all voted “aye.”**

D. Motion to advertise for bids jointly with the City of Shaker Heights for 2012 Street Line Painting

Councilman Sims inquired if street line painting is a function that the City has performed in the past. Chief of Police Steven Hammett responded that the Police Department has a full-time employee that has carried out the line painting function for the past several years with the assistance of a part-time summer employee. Chief Hammett stated that by bidding out the line painting, the full-time employee’s time would be freed up to complete other tasks such replacing all street signs, which have to be in compliance with the federal government’s reflectivity standards by 2015, and maintenance/remodeling work to City building. He added that efficiency was considered as well because it could take the employee from two (2) to four (4) months to complete the striping, but a private contractor could complete the job in two (2) weeks. He noted that there is also potential long term cost savings by bidding out the work.

Mayor Infeld stated that she is trying to increase the City’s participation in joint bidding with surrounding communities in order to get a better price on work.
Mr. Ciuni mentioned that the City of Shaker Heights bid for street striping is a three-year contract with fixed prices. Councilwoman Cameron asked what streets will be striped. Mr. Ciuni replied that Shaker Heights will be given an inventory of all University Heights’ streets to be striped.

**MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL** to advertise for bids jointly with the City of Shaker Heights for 2012 Street Line Painting. On roll call, all voted “aye.”

E. **Motion to advertise for bids for 2012 Catch Basin Cleaning**

Mr. Jamieson requested permission to advertise for bids for the Catch Basin Cleaning, which is a maintenance program to keep the sewers flowing properly and to meet the requirements of the City’s EPA Phase 2 Storm Water Permit. The contract involves cleaning approximately 350 catch basins (one-third of the city). It also includes jetting out and vacuum cleaning of both the storm and sanitary sewers; a section of the city is done each year, but areas which are prone to flooding are done on a more frequent basis. Mr. Jamieson stated that by bidding the Catch Basin Cleaning for a two-year period, the City can achieve the best price. At the request of Councilman Ertel, Mr. Jamieson explained how the catch basins are cleaned.

Councilwoman Cameron inquired if there is a protocol on which catch basins are cleaned each year. Mr. Jamieson replied that he logs the work that is done each year on a map to show which sections of the city have been completed. He noted that when the department receives calls on blocked catch basins and/or street flooding, those catch basins are made part of the contract. He added that if some catch basins require annual cleaning, they are placed on the list every year.

Councilman Sims inquired as to the status of conversations with the County Engineer’s Office regarding the provision of sewer services. City Engineer Joseph R. Ciuni stated that the County does offer those services and it is something the City would have to commit to. He noted that most of the services are related to the sanitary sewer, but they will do storm sewers as well. Mr. Ciuni suggested that the County be brought in to make a presentation about the services they offer and related fees because there is cost to the program. Mayor Infeld stated that they met with the previous County Engineer in 2010, again more recently and will meet again, but there is a timing issue. She noted that the City will be providing financials and work volume to the County. She explained that the financials would be the money that is collected and dedicated to sewers under the supplementary assessment that is levied against all properties in the city. Mayor Infeld stated that two years ago it was determined that the County price was more than the dedicated sewer collection. Therefore, the decision was made, at that time, not to move forward because the sewer fees would have had to be increased or the City would have had to absorb the cost. The Mayor added that she still does not have the financial information to present to the Service and Utilities Committee. However, when that information is received, it will be presented to the committee. Mayor Infeld stated that by the time the information is put together and presented to the committee, the City would not be able to join in the County’s program until 2013.

Vice Mayor Goldberg entered the meeting at 8:15 p.m.

Councilman Sims inquired if the contract for Catch Basin Cleaning would still be structured for two (2) years or would it be a one (1) year contract with a one (1) year option to renew since the City is considering another alternative. He suggested the latter especially if the City is considering a different method of delivering the service. Mr. Ciuni stated that his intention was to hold the prices for two (2) years, but it may be better to have a one year contract with an option to renew. Mayor Infeld stated that the other option to consider is that the City enter into a contract with unit prices for the volume of work, but with no guarantee to the successful bidder that there will be any volume of work. She added that if the City bids for one year it is possible the prices could be higher. Law Director Kenneth J. Fisher advised that the specifications could be written for a one (1) year contract with the City’s option for a second year at the same unit price. Councilman Sims also mentioned that the specifications could be written for a fixed contract and a one-year contract plus an option for renewal. Mr. Ciuni stated that he would prepare the bid specifications and review them with the Law Director.

Councilman Cozzens inquired as to the criteria used in deciding when to collaborate and when the City bids on its own. Mayor Infeld replied that sometimes it is just relationships that provide the opportunity to be included in bids for similar work such as street line striping. Mr. Ciuni mentioned that the City of Shaker Heights does not bid out catch basin cleaning as they perform the work in-house. Councilman Cozzens stated that he desire to know if there was a driving force behind when the City decides to collaborate such as economies of scale.
MOTION BY MR. COZZENS, SECONDED BY MR. SIMS to advertise for bids for 2012 Catch Basin Cleaning with a dual bid request: two-year contract and a one-year contract with a one-year option at the City request. On roll call, all voted “aye.”

F. Motion to advertise for bids for Purvis Park Concession Operation

Mayor Infeld commented that there were no responses to the bid request for the Purvis Park Concession Operation last year. Therefore, she noted that some of the parameters of the concession operation contract will be changed before the bid advertisement goes out. The Mayor suggested that the particular aspect to be changed deals with the amount of revenue that has to be contributed back to the City as a set percentage by the operator. She added that the contributory amount could be changed to better match that of other surrounding communities.

Vice Mayor Goldberg was in favor of the change. She mentioned that there are not many vendors which do concession operations anymore and the change may allow more vendors to bid.

MOTION BY MRS. CAMERON, SECONDED BY MRS. PARDEE to advertise for bids for Purvis Park Concession Operation. On roll call, all voted “aye.”

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

MOTION BY MS. GOLDBERG, SECONDED BY MRS. ZUCKER to hold an executive session immediately following this regular meeting for the purpose of discussing the purchase of real estate. On roll call, all voted “aye.”

Directors’ Reports:

Under the Finance Director’s report, Mayor Infeld reported that Interim Finance Director Anthony L. Ianiro is working on finalizing the 2012 budget. She noted that the budget will initially be presented to the Finance Committee of Council. Mayor Infeld added that she is aware of Council’s desire to thoroughly review the budget and they will have that opportunity. The City is required to present a budget to the Cuyahoga County Budget Commission by March 31, 2012.

Mayor Infeld also mentioned she in is the process of second round interviews for the position of Finance Director. The Council members will be invited to meet and interview the final few candidates.

Service Director Robert Jamieson reported that the new refuse scooter is ready for service. He noted that money was saved on the scooter by the City’s in-house mechanics fabricating the hopper. Mr. Jamieson noted that total cost was approximately $17,200.

In response to a question by Councilman Sims regarding a map indicating where trees are planted annually, Mr. Jamieson noted that he does not have a map because the trees are planted in sporadic locations, but he creates a list annually. Councilman Sims inquired as to the process for follow-up for newly planted trees to determine if the trees actually take. Mr. Jamieson responded that in the spring each tree that was planted is examined to make sure that they are healthy and growing straight. He added that there is a plan to follow-up with pruning within 2 to 3 years after they are planted. Mayor Infeld also noted that the contractor is required by the contract to water the trees for one year and inspect the trees the following spring to ensure that they are still alive. If any tree does not take, it must be replaced.

Committee Reports:

Civic Information Committee Chairman Susan D. Pardee reported that she will schedule a committee meeting in March. She has been gathering information from senior residents.

Councilwoman Pardee noted that she had an opportunity to attend a forest forum at Shaker Lakes Nature Center which was sponsored by South Euclid Councilwoman Jane Goodman in her role as director of an organization that focuses on the health of the Cuyahoga River. The forum was about urban forestry. Those in attendance were educated by State Forester Alan Siewert on urban forestry and the benefits to communities of stemming run-off and making the river and lake healthier. Using large aerial maps, they identified locations of high concern with respect to tree coverage.
Councilwoman Pardee mentioned that the focus when the group meets again in the summer will be to garner enough power from neighboring cities to pursue a large pot of grant funds for urban forestry. She encouraged the City to anticipate the process because it would ultimately be of benefit.

Mayor Infeld also noted that Jane Goodman’s group, the Cuyahoga River Land Conservancy, offers forums to educate people on the importance of keeping areas green, especially urban area. Particular attention is given to the underground streams such as Doan Brook, Dugway Creek, and Nine Mile Creek. Mayor Infeld stated that there is a cost to the City to ensure that EPA requirements are met. She noted that the City received a grant in the past for an urban canopy forest plan. Part of the application to receive recognition from the National Arbor Day Foundation as a Tree City USA designee requires the City to provide statistics for tree plantings, tree maintenance, and dollars spent per capita on tree issues.

Mayor Infeld also mentioned that the City has been asked by the Ohio Department of Natural Resources (ODNR) to host the first two of four tree academy classes for urban forestry initiatives.

**Finance Committee** Chairman Thomas A. Cozzens reported that the minutes of the a joint meeting of the Finance Committee and the Finance Advisory Committee which was held on February 1, 2012 have been distributed.

Councilman Cozzens entertained a motion to approve the names of resident members to the Finance Advisory Committee. Mr. Fisher advised that Council has the authority under Section 234.06 (a) of the Codified Ordinances to appoint not more than twelve (12) members to the Finance Advisory Committee. Mr. Cozzens welcomed other recommendations from the Mayor and Council members for appointment by Council throughout the year.

**MOTION BY MR. COZZENS, SECONDED BY MRS. PARDEE** to submit the names of Michael Bohan, Bryan Barrett, Robert Brenis, Aaron Evenchik, Frank Navratil, Andrew Park, Joseph Shafran, Winifred Weizer and Patrick O'Shaughnessy for Council's approval for membership to the Finance Advisory Committee for a two year term from 2012 through 2013. On roll call, all voted “aye.”

**Recreation Committee** Chairman Pamela Cameron reported that several residents have expressed an interest to serve on the Recreation Advisory Committee. She entertained a motion to approve names for membership.

**MOTION BY MRS. CAMERON, SECONDED BY MR. ERTEL** to submit the names of Margaret and James Barrett, James Berry, Robert Brenis, Kay Hawn, Brett and Katie Teacher, Judy Simkow, and Alecia Vickers for Council’s approval for membership to the Recreation Advisory Committee. On roll call, all voted “aye.”

Councilwoman Cameron announced that a joint meeting of the Recreation Committee of Council and the Recreation Advisory Committee will be scheduled for a day during the week of March 6, 2012.

**Service and Utilities Committee** Chairman Steven Sims announced that his committee will meet on Tuesday, February 28, 2012 at 7:00 p.m. in Council Chambers.

There being no further business to discuss, the meeting recessed into executive session. Following the executive session, the meeting was adjourned.

____________________________
Mayor Susan K. Infeld

_______________________________
Nancy E. English, Clerk of Council