

MINUTES OF COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS
FEBRUARY 6, 2012

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

Roll Call: Present: Ms. Frankie B. Goldberg
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
City Engineer Joseph Ciuni

Pledge of Allegiance

Minutes of the Regular Meeting of January 17, 2012

There were no corrections or additions to the minutes of the regular meeting of January 17, 2012.

MOTION BY MS. GOLDBERG, SECONDED BY MRS. ZUCKER to approve the minutes of January 17, 2012 as presented. On roll call, all voted “aye.”

Comments from the Audience:

Brett Teacher, 3884 Washington Blvd., chairman of Citizens for Saybrook Park, requested that Council and the Mayor consider purchasing the former Fuchs Mizrachi School property on Saybrook Road and convert it into a city park.

Aurora Martinez, manager of the University Heights Branch Library, introduced the new deputy director of the Cleveland Heights-University Heights Public Libraries, Kimberlee DeNero-Ackroyd.

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

Mayor Infeld reported that JoAnn Fabrics will move out of University Square on June 30, 2012. The store plans to relocate in Golden Gate Plaza in Mayfield Heights. Mayor Infeld noted that she will travel to Chicago to meet with Inland Realty.

Agenda Items:

A. State of the City Address by Mayor Susan K. Infeld

Mayor Infeld presented the State of the City Address, dated February 6, 2012, which is attached hereto and marked Exhibit “A”.

B. Resolution No. 2012-02 In support of the Cuyahoga County Health & Human Services Levy 2012 (Emergency)

Resolution No. 2012-02 supports the Cuyahoga County Health & Human Service Levy 2012, which is Issue 15 on the Tuesday, March 6, 2012 ballot. Issue 15 is a renewal of a 4.8 mill levy that has been in place since 1976 and is used to ensure that children, seniors and families continue to receive critical services.

MOTION BY MR. SIMS, SECONDED BY MS. GOLDBERG to approve the passage of Resolution No. 2012-02 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. 2012-03 Authorizing a Memorandum of Agreement with the Cities of Beachwood, Euclid, Shaker Heights and South Euclid to conduct a feasibility study for the Consolidation of Communication Centers and Dispatch Functions Project (Emergency)

Resolution No. 2012-03 authorizes a Memorandum of Agreement to conduct a feasibility study for the Consolidation of Communication Centers and Dispatch Functions Project between the Cities of Beachwood, Euclid, Shaker Heights, South Euclid and University Heights. Chief of Police Steven Hammett reported that the five (5) cities make up the Eastside Departments Group Enforcement Agency (EDGE). He noted that the feasibility study will determine the practicality of joining the five (5) dispatch centers. The City of South Euclid will be the fiscal agent for the project and South Euclid in conjunction with the City of Euclid will prepare the grant.

In response to a question from Vice Mayor Goldberg, Chief Hammett noted that the projected cost of the feasibility study is estimated at \$60,000. He added that the grant application will be for the full amount.

Councilwoman Pardee inquired if the group is applying for funds under the Local Government Innovation Fund (LGIF) program. It was confirmed that they will apply for LGIF grant funds. Mayor Infeld reported that the LGIF program provides financial assistance through grants and loans. Funding will be available twice a year for grants and four times a year for loans. She noted that the application criteria is different for grants and loans. It is the group's intention to apply for one of the first deadline periods. Councilwoman Pardee commended the EDGE group for pursuing the funding for the proposed study.

MOTION BY MRS. ZUCKER, SECONDED BY MRS. PARDEE to approve the passage of Resolution No. 2012-03 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. 2012-04 Authorizing a contract to Land Networking for the 2012-2013 Emergency Sewer Repairs (Emergency)

Ordinance No. 2012-04 authorizes a contract with Land Networking for the 2012-2013 Emergency Sewer Repairs in an amount not to exceed \$78,875.00. City Engineer Joseph R. Ciuni reported that bids were opened on February 2, 2012. He noted that five (5) bids were received with Land Networking submitting the lowest bid. Mr. Ciuni mentioned that the low bid contractor received the contract and performed the work in 2010 and 2011 under the name of Thomas A. Hall Excavating. He explained that the contractor has more knowledge of what the work entails and that is why his bid was so much lower than the other bids. He added that unit pricing will be held for two (2) years. Mr. Ciuni recommended that the City enter into a contract with Land Networking for the 2012-2013 Emergency Sewer Repairs as the lowest and best bid.

Councilwoman Pardee questioned why the bid of Land Networking was less than half of all the other bids. Mr. Ciuni responded that Land Networking has superior knowledge of what the work involves and the other bidders may be reading 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. Mr. Ciuni added that he was satisfied with the company's work the last two (2) years.

Councilman Sims inquired if Land Networking is a new company. Mr. Ciuni replied that he believes it is a new company. He mentioned that the bid was signed by Mrs. Hall as president and Mr. Hall as secretary/treasurer. He was not sure if they are trying to establish a female business enterprise. Mr. Ciuni added that he checked the references for Land Networking and they were satisfactory. There was discussion regarding the potential of the work exceeding the bid amount. Mr. Ciuni and Law Director Kenneth J. Fisher concurred that the amount cannot exceed the bid without a change order approved by the Council. Councilman Sims stated that he would like to know more about the company.

Vice Mayor Goldberg inquired if the company has done work in neighboring communities. Mr. Ciuni replied that it has as Thomas Hall Excavating.

Mr. Fisher stated that the issue is the City is familiar with Thomas Hall Excavating, but Land Networking is a different vendor. Since the history is based upon the last two years with Thomas Hall Excavating, Mr. Fisher suggested that Mr. Ciuni obtain more information on the new company, Land Networking.

MOTION BY MRS. ZUCKER, SECONDED BY MR. SIMS to table Ordinance No. 2012-04 pending more information. On roll call, all voted "aye."

E. Motion to enter into an agreement with Aljon, LLC for the 2012 Yard Waste Processing Service

Service Director Robert Jamieson reported that the Service Department collects brush, leaves, tree trimmings, Christmas trees and other organic materials from residents in the city. He mentioned that last year the City generated 114 garbage truck loads of yard waste or approximately 2,850 cubic yards. This material is transported to Aljon, LLC, which is the closest commercial composting facility to University Heights. The proposed cost to accept the City's yard waste material for 2012 is a flat rate of \$5,500. Mr. Jamieson recommended that the City enter into an agreement with Aljon, LLC for the 2012 Yard Waste Processing Service.

Councilwoman Zucker inquired as to last year's rate. Mr. Jamieson replied that the rate in 2011 was \$5,000 and the rate for 2010 was \$4,500.

In response to a question from Councilman Sims, Mr. Jamieson noted that as in past years the flat rate will be an advance payment for the entire year for an unlimited amount of yard waste.

MOTION BY MR. COZZENS, SECONDED BY MR. SIMS to enter into an agreement with Aljon, LLC for the 2012 Yard Waste Processing Service in an amount not to exceed \$5,500. On roll call, all voted "aye."

F. 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. PARDEE, SECONDED BY MRS. CAMERON to hold an executive session immediately following this regular meeting for the purpose of discussing the possible purchase of real estate. On roll call, all voted "aye."

Directors' Reports:

Mayor Infeld asked Clerk of Council Nancy E. English to give an update on the Civil Service testing. Ms. English offered a brief update on the Patrolman 3rd Grade exam. The application process closed on Friday, February 3, 2012. Sixty-one (61) applications were received. The written test for this position will be held on February 25, 2012 at Wiley Middle School.

All the promotional exams have now been scheduled. Applications will be accepted for the position of Fire Lieutenant starting Monday, February 13, 2012 through Friday, March 2, 2012. There are twenty-one (21) firefighters eligible to take the exam. The Ohio Fire Chiefs' Association will administer both the written exam and the assessment center for the position of Lieutenant in the Fire Department. The written exam is scheduled for Saturday, May 26, 2012. This exam will be held in the Council Chambers at City Hall. Only the top eight (8) candidates with a passing grade on the written exam will advance to the assessment process, which will be administered on June 23, 2012 at Wiley Middle School.

With regard to the promotional exams for the Police Department, the Ohio Association of Chiefs of Police Advisory Services will administer the written exam and the assessment center for the positions of Sergeant and Lieutenant in the Police Department. Applications for both positions will be accepted from Monday, February 27, 2012 through Friday, March 16, 2012. There are eighteen (18) patrolman eligible to take the Sergeant's exam and four (4) Sergeants eligible to take the Lieutenant's exam. The written exam for the both positions is scheduled for Saturday, June 9, 2012 in the Council Chambers. The assessment center for the position of Sergeant will be administered on Saturday, July 7, 2012 and Sunday, July 8, 2012 at City Hall. After which, the assessment center for the position of Lieutenant will be administered on July 14, 2012 also at City Hall.

Under the Finance Director's report, Mayor Infeld reported that she and Interim Finance Director Anthony L. Ianiro are finalizing the 2012 budget. She added that they are trying to manage some of the known expenses, which are large and many, while trying to preserve the \$1.3M surplus from 2011.

Chief of Police Steven Hammett reported that the Office of the County Executive, Edward Fitzgerald, has agreed to provide funds to all forty-seven (47) public safety answering points in the county. As one of the public safety answering points, the City of University Heights Police Department will receive \$75,000 to replace its 911 equipment.

Under the Building Commissioner's report, Councilman Sims requested that the Building Commissioner report on the upkeep of the property located at 4089 Bushnell Road. Mayor Infeld mentioned that she responded to Rabbi Adler, the neighbor who requested that the leaves be removed at the vacant property. She added that the City has a mechanism in place to handle this type of situation, and they will clarify the delivery of City services at the property. Mayor Infeld will follow-up.

Councilman Sims inquired if it is a requirement to have fire detectors hard-wired into homes when it is under renovation because remodeling construction was stopped at a home on Traymore Road. Interim Fire Chief David Rodney responded that the Code was amended in 2011 to require hard-wired smoke detectors in new construction and substantial renovations. He was not aware of the perimeters for such renovations. Councilwoman Zucker inquired if the house that caught fire on Milton Road is being hard-wired because it is being totally remodeled. Interim Chief Rodney replied that the question would have to be posed to the Building Commissioner. Mayor Infeld stated that she will have the Building Commissioner contact Councilman Sims and report at the next meeting.

Committee Reports:

Civic Information Committee Chairman Susan D. Pardee announced that her committee met on January 30, 2012. Items discussed included: continuing with senior services and learning from senior residents what they want and need; the feasibility of providing an email newsletter; how to make an email push to sign up as many University Heights residents as possible in order to increase communication; and working with realtors to learn from them what they need in order to better promote the City. The committee will gather more information and continue its deliberations.

Finance Committee Chairman Thomas A. Cozzens reported that a joint meeting of the Finance Committee and the Finance Advisory Committee was held on February 1, 2012 for introductory purposes and to bring the Advisory Committee appointments into compliance with Section 234.06 of the Codified Ordinances. The code section stipulates that "During January of each even numbered year, the Finance Committee of Council shall submit to Council for its approval no more than 12 names to be approved for membership on the Finance Advisory Committee. The Chairman of the Finance Committee of Council shall also request the Mayor and Council to submit recommendations for such committee."

Councilman Cozzens submitted the following names for Council's approval: Michael Bohan, Bryan Barrett, Robert Brenis, Aaron Evenchik, Frank Navratil, Andrew Park, Joseph Shafran and Winifred Weizer. He noted that the remaining members on the existing Advisory Committee list will be contacted to determine if they desire to continue to serve on the committee. Councilman Cozzens welcomed any other recommendations.

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