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

Roll Call:  Present:    Ms. Frankie B. Goldberg  
Mention Steven D. Bullock  
Mr. Frank Consolo  
Mr. Steven Sims  
Mr. Phillip Ertel  
Mrs. Susan D. Pardee  

Absent:  Mr. Kevin Patrick Murphy  

Also Present:  Clerk of Council Nancy E. English  
Law Director Kenneth J. Fisher  
Chief of Police Gary Stehlik  
Fire Chief John Pitchler  
Building Commissioner David Menn  
City Engineer Joseph R. Ciuni  
Service Director Robert Jamieson

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

Pledge of Allegiance

Minutes of the regular meeting held on January 18, 2011

Mayor Infeld noted a correction on page 4. The sixth word in the ninth line of fourth paragraph which reads “agreement” should read “agree”.

There were no other corrections or additions to the minutes of January 18, 2011.

MOTION BY MRS. PARDEE, SECONDED BY MS. GOLDBERG to approve the minutes of the regular meeting held January 18, 2011, as amended. On roll call, all voted “aye.”

Comments from the Audience:

Tyler McTigue and Andrew Hall, 20700 North Park Blvd., John Carroll University students, announced that they removed political signs from private property. Mr. McTigue stated that they realized what they did was wrong. They did it as a joke, but did not mean to hurt anyone. Both young men apologized for their actions. Mayor Infeld accepted the apology and officials thanked the students for coming to apologize.

Sheila Hubman, 2528 Ashurst Rd., stated that it was announced at the January 24, 2011 meeting of the Governmental Affairs Committee that a work session is being planned. She asked what the hours of work session will be. Mrs. Hubman requested that the work session be video taped and suggested various options such as students from Heights High School or John Carroll University taping the session or that the meeting be held at the School Board facility which is already setup with video technology. Mrs. Hubman inquired if the residents could tape the session for airing in the event none of her suggestions could be implemented. Mrs. Hubman asked Councilwoman Pardee to include the purpose of the work session in her committee report.

Mrs. Hubman commented that she could not find the mission of the Governmental Affairs Committee. She would like to know its mission as well as the mission of all the Council committees. Mayor Infeld suggested that the Councilpersons give a brief description on the scope of each committee during committee reports.

Adele Zucker, 2461 Claver Rd., suggested that the mission of the committees be placed on the City’s website.
Reports and Communications from the Mayor and the taking of action:

Mayor Infeld announced that two meetings are taking place at City Hall on Tuesday, February 8, 2011. The Community Garden Committee will meet at 6:30 p.m. in the conference room. The committee is in the process of planning the community garden on North Taylor Road which will be planted with vegetables. The City Beautiful Committee will meet at 7:00 p.m. in the Council Chambers and will discuss its beautification efforts and the summer band concert series.

Mayor Infeld reported that she and the Service Director will meet with the State Forester on Wednesday, February 9, 2011. They will also meet with the Solid Waste District on Thursday, February 10, 2011 regarding various options for recycling which the City could participate in.

Mayor Infeld commented that she will judge a chili cook-off contest at John Carroll University on Tuesday, February 15, 2011.

Also, Mayor Infeld reported that she of Chief of Police Gary Stehlik will meet with business owners in the Cedar/Taylor area and officials from the City of Cleveland Heights on Monday, February 21, 2011 at 9:00 a.m. at Melt to continue discussion on the formation of a business district.

Mayor Infeld reported that the 2011 budget is being finalized. She noted that budget is very tight and she was concerned about the City’s costs and spending patterns. Mayor Infeld stated that she will continue to tighten spending as much as possible.

Agenda Items:

A. Planning Commission Recommendation: Approval of Cleveland Heights-University Heights City School District’s application for rear drop-off and staff parking improvements at Wiley Middle School, 2181 Miramar Boulevard

At its meeting, January 31, 2011, the Planning Commission passed the following motion with respect to the application from the Cleveland Heights-University Heights City School District:

“MOTION BY MR. REICHEK, SECONDED BY MR. LOEFFLER to recommend to City Council that the application of the Cleveland Heights-University Heights City School District for rear drop-off and staff parking improvements at Wiley Middle School, 2181 Miramar Blvd., be approved as presented on Site Plan, dated December 16, 2010, subject to the approval of the City Engineer for the issues that remain unresolved as listed in the Engineer’s letter of January 24, 2011. On roll call, all voted ‘aye.’”

Mr. George Petkac, Assistant Director of Business Services, of the School District was present along with Rob Morgan from McKnight and Associates. Mr. Petkac stated that McKnight and Associates has developed a plan which will help eliminate congestion on Miramar Blvd. at the drop off and pickup times for students.

Mr. Morgan reviewed that existing site as to how motorists enter the two lane driveway and proceed to the rear parking lot. He noted that there is confusion as to where the drop off point is. Mr. Morgan stated that the proposal adds a third lane, which would be a right turn only lane with a bus pick up and drop off lane to the right of the right hand turning lane. Twelve parking spaces would be added on the south side of the driveway toward the entrance. A 5ft. hedge would be added at the service area near the kitchen to improve the appearance of this area. A horseshoe cul-de-sac would be created in the rear parking lot for drop off. The handicap parking spaces would be relocated to the west side of the rear parking lot. Mr. Morgan stated that they would lose six (6) parking spaces in the rear lot, but are adding twelve (12) spaces at the entrance. The emergency generator in the area of the horseshoe would be screened and the bike rack will be relocated adjacent to the emergency generator. New landscaping is proposed to be interspersed throughout the site. In response to a question from Councilman Ertel, Mr. Morgan stated that there would be a net gain of six (6) parking spaces with the project.

Councilman Consolo inquired if repaving the parking lot and the area that leads back to the football field would be repaved as part of the project. Mr. Petkac responded that those areas will not be part of this project. He added that the parking lot was paved previously and even though the other area is in poor condition, they are limited as to what can be completed with this project. Mr. Petkac mentioned that some of that work can be done in-house.
Councilman Sims inquired if the driveway will be widened since a third lane is being added. Mr. Morgan replied that the driveway would be widened by 10 ft.; it would be increased from 20 ft. to 30 ft. for car traffic and an additional 18 ft. for the parking spaces.

Councilman Ertel mentioned that it is unfortunate that they could not take the hill out and open the area up for egress and parking and redo the sidewalk at the same time.

Vice Mayor Goldberg inquired if consideration was given to eliminating the row of parking on the east side of the rear parking lot in order to eliminate tightness in the area. Mr. Morgan responded that the space works well with the parking as presented.

Chief of Police Gary Stehlik stated that he reviewed the plans, met with the representatives on traffic movement, and he had no problems with the plans.

**MOTION BY MR. CONSOLO, SECONDED BY MR. BULLOCK** to adopt the Planning Commission’s recommendation for approval of Cleveland Heights-University Heights City School District’s application for rear drop-off and staff parking improvements at Wiley Middle School, 2181 Miramar Boulevard. On roll call, all voted “aye,” except for Mrs. Pardee, who “abstained” because she is an employee of the School District.

**B. Planning Commission Recommendation: Approval of Special Use Permit for Kollel Yad Chaim Mordechai’s application to expand its facility at 2203 and 2207 South Green Road**

At its meeting held on January 31, 2011, the Planning Commission passed the following motion with respect to the application from Kollel Yad Chaim Mordechai:

"**MOTION BY MR. REICHEK, SECONDED BY MS. GOLDBERG to recommend to City Council the approval of a Special Use Permit to Kollel Yad Chaim Mordechai, 2203 and 2207 South Green Road, for the expanded use of its facility, subject to the applicant returning to the Planning Commission with complete drawings for a full review at that time. On roll call, all voted ‘aye.’"**

Mr. Fred Bolotin, attorney, was present representing Kollel Yad Chaim Mordechai. Mr. Bolotin stated that obtaining a special use permit is the first step in the process to expand the existing facility by connecting the two buildings located at 2203 and 2207 S. Green Road to use for religious/education purposes. He noted that the Kollel currently operates in the synagogue at 2203 S. Green Road. Mr. Bolotin noted that the plan will alleviate ongoing problem of people parking in the shopping center parking lot which has been an inconvenience to the property owners of that commercial shopping center. He also noted that a lot consolidation would be required. Mr. Bolotin apologized that the architect was not present at this meeting with the plans. He added that the use of the building has grown over time and the special use permit would be needed in order to use the second building even if the two buildings are not connected.

Law Director Kenneth J. Fisher gave a historical perspective of the property. In 1980, the Board of Zoning Appeals, which had jurisdiction over the matter at that time, approved the issuance of a special use permit to utilize the property located at 2203 South Green Road as a house of worship and/or for religious education. He added that the present use is a non-conforming use allowed by special use permit, which must be renewed annually. In 1982, Chapter 1274 of Codified Ordinance, Houses of Assembly and Social Service Uses, was established which created special use permit authority to the Planning Commission. Mr. Fisher advised that because of the requested expansion, the applicant would now fall under Chapter 1274. Therefore, the recommendation of the Planning Commission for approval of a special use permit is what is before the Council at this meeting.

Councilman Consolo clarified that the Council was being asked to approve the Planning Commission’s recommendation to grant approval of a special permit to expand the use into the building at 2207 S. Green Road. Mr. Fisher confirmed and stated that once approval of the special permit is granted by the Council, full plans will be presented to the Planning Commission and the matter will come back to the Council for final approval.

Councilman Bullock inquired if the Council would have an opportunity to ask questions regarding the impact at a later meeting because he had questions regarding parking. Mr. Fisher stated that parking is an issue and there are adjoining property owners present who may have comments regarding parking.
Councilman Sims inquired as to how the structure located at 2207 S. Green Road is currently being used. Mr. Bolotin replied that the property is currently owned by the synagogue and is being rented as a two-family residence. He added that if the special permit is approved, the property will be renovated and used for educational programming.

Mr. Sims inquired as to the sizes of the two lots. Mr. Bolotin was unsure of the lot sizes. Mr. Fisher stated that the applicant would have to apply to the Planning Commission for an area variance because under Chapter 1274 of the Codified Ordinances there is a 3 acre minimum area lot size requirement for the use.

Councilwoman Pardee inquired as to the number of people who currently utilize 2203 S. Green Road. Mr. Bolotin replied that 10 - 30 people are there in the morning from 6:00 a.m. until 8:15a.m. During the day, the facility is used by approximately 15 people. In the evening from 8:00 p.m. until 10:00 p.m., the facility is used by 40 - 80 people for educational programming.

Lee Friedman and David Leavitt of Friedman, Leavitt & Associates, CPA, 2193 S. Green Road, commented about the parking issue. Mr. Friedman stated that the initial use of the facility was supposed to be on Shabbat only, therefore, there would not be need for parking. However, over the years that changed because there are morning meetings every day which are attended by upward of 30 people and parking is an issue. Mr. Friedman mentioned that there are agreements for parking with Heinen’s, formerly with Temple Emanu El and now with John Carroll University. He questioned whether there is sufficient parking for the existing use even before the expansion because the parking agreement with John Carroll University was changed from an annual renewal lease to month-to-month. Mr. Friedman stated that granting the special permit for the second facility at 2207 S. Green Road would increase the use without adequate parking. He emphasized that the parking issue is currently a nightmare.

Mr. Fisher mentioned that Mr. Friedman also raised concerns regarding parking at the Planning Commission meeting. He added that Friedman, Leavitt & Associates, CPA shares parking with the other businesses in the commercial strip immediately north of the property in question. Mr. Fisher stated that since the parking lot is private property they have the right to enforce private parking, but they have chosen not to. Mr. Leavitt noted that they have tried to be good neighbors and talk to them, but the situation is getting worse. He added that they have allowed the Kollel to use the parking in the evening after business hours, but now the Jewish Learning Connection, who is in the strip as well, has morning and night sessions also. Mr. Friedman also noted that currently the former Leonard Schwartz Furs building is empty and if it is sold or leased that would be additional parking requirements. It was noted that the parking is tight for the businesses in the strip without people from the Kollel parking there.

Mr. Fisher noted that a parking lot is proposed to be constructed in the rear of the proposed new facility with perhaps a semi-circular driveway which will assist in resolving the parking issues. He added that the presentation was for the same amount of people in a larger facility with parking in the rear. Mr. Leavitt mentioned that this is not a family synagogue and everyone attending are individual drivers, which means there would be one car for each person at the facility. Mr. Friedman noted that individual drivers use the facility in the morning as well. Mr. Friedman could not see the validity of approving variances for acreage or parking for the project.

Councilman Consolo inquired as to the hours of operation for the accounting firm. Mr. Friedman and Mr. Leavitt replied that their employees start coming in at 6:00 a.m. and are open until 6:00 p.m. or 7:00 p.m. depending on the time of year.

Mr. Consolo inquired as to the Planning Commission’s position since the parking issue was addressed at that meeting. Vice Mayor Goldberg responded that it was explained that the Kollel is paying for allocated parking spaces at Heinen’s and at the John Carroll University Annex. It was noted that the proposal included 24 spaces on site, 12 spaces are rented from JCU and 10-12 spaces are rented from Heinen’s. Mr. Bolotin commented that a new lease is being negotiated with John Carroll University which will likely be an annual lease, but during negotiations it is continuing month-to-month. Councilman Consolo was frustrated to learn that John Carroll University is making money off a parking lot that was to be used for its students.

Mr. Bolotin stated that he appreciated the comments and noted that the business owners have been very accommodating over the years. He recognized that there is a problem regrading parking and was open to suggestions. Mr. Bolotin stated that, with permission, they propose to post permanent signs in the commercial parking lot indicating that parking is not permitted for the Kollel.
Councilman Consolo suggested that the matter be tabled until the project architect can be present and, in the meantime, perhaps an arrangement for parking could be worked out between the business owners and the Kollel. Mr. Bolotin requested that the matter not be tabled because it is an ongoing process with the Planning Commission. Mayor Infeld agreed that it would be better for the architect to make the presentation so that the Council has an opportunity to see the entire project and in order to give the group time to possibly come up with other solutions. Vice Mayor Goldberg requested that representatives from the synagogue also be at the next meeting where this application is considered in the event the application is tabled.

Mr. Leavitt commented that the Kollel is currently parking about six cars on that site so they are not gaining as many spaces as indicated. He also noted that they are proposing a single lane driveway to the parking lot in the rear of the building.

Councilman Ertel inquired if the City has standard formulas for parking. Building Commissioner David Menn responded yes, but the City does not have full plans in order to calculate the parking requirement. He is also awaiting additional information on the off site parking spaces in order to determine how it all may come into effect.

Councilman Sims inquired as to how long the synagogue has been on a month-to-month lease with John Carroll University. Mr. Bolotin replied that the synagogue would know that information.

Mr. Bolotin yielded to the Council and requested a continuance.

**MOTION BY MR. CONSOLO, SECONDED BY MR. SIMS to continue this matter until the representatives of the project are able to be at another meeting of Council along with Mr. Bolotin. On roll call, all voted “aye.”**

C. Ordinance No. 2011-02 Amending Section 1270.01(d)(3) of the Codified Ordinances by repealing the durational time limit of political signs (2nd Reading)

Ordinance No. 2011-02, which was presented on first reading on January 18, 2011, amends Section 1270.01(d)(3) of the Codified Ordinances by repealing the durational time limit of political signs.

Councilwoman Pardee reported that the amendments to Ordinance Nos. 2011-02, 2011-03, 2011-04 and 2011-05 takes out language in the Codified Ordinances that limit political sign duration which is unconstitutional. Mr. Fisher added that the amendments in the ordinances addresses Ohio law as well as U.S. Constitutional Law.

**MOTION BY MRS. PARDEE, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2011-02 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. 2011-03 Amending Section 1270.02(b) and (c) of the Codified Ordinances by allowing political signs in U-1, U-2, and U-4 Residential Districts (2nd Reading)

Ordinance No. 2011-03, which was presented on first reading on January 18, 2011, amends Section 1270.02(b) and (c) of the Codified Ordinances by specifically allowing political signs in U-1, U-2, and U-4 Residential Districts.

**MOTION BY MRS. PARDEE, SECONDED BY MR. BULLOCK to approve the passage of Ordinance No. 2011-03 as an emergency measure. On roll call, on passage, all voted “aye.”**

E. Ordinance No. 2011-04 Amending Section 1270.03(a)(2) of the Codified Ordinances by excluding political signs from permit application procedures (2nd Reading)

Ordinance No. 2011-04, which was presented on first reading on January 18, 2011, amends Section 1270.03(a)(2) of the Codified Ordinances by specifically excluding political signs from permit application procedures.

**MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to approve the passage of Ordinance No. 2011-04 as an emergency measure. On roll call, on passage, all voted “aye.”**
F. Ordinance No. 2011-05 Repealing Section 1270.11(a)(1) of the Codified Ordinances by excluding political signs from the temporary sign requirements (2nd Reading)

Ordinance No. 2011-05, which was presented on first reading on January 18, 2011, repeals Section 1270.11(a)(1) of the Codified Ordinances by excluding political signs from the temporary sign requirements. Councilwoman Pardee stated that Ordinance No. 2011-05 repeals the entire section that defines political signs which is no longer needed.

MOTION BY MRS. PARDEE, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2011-05 as an emergency measure. On roll call, on passage, all voted “aye.”

G. Ordinance No. 2011-07 Amending Section 2 of Ordinance No. 2009-16 by amending the annual compensation rate of the Building Commissioner

Ordinance No. 2011-07 amends Section 2 of Ordinance No. 2009-16 by amending the annual compensation of the Building Commissioner to a rate of $71,028. Mayor Infeld stated that the ordinance is being introduced to bring the salary of the Building Commissioner more in line with the other Directors’ salaries.

Mayor Infeld stated that she was conflicted because prior to the Council meeting at a Committee-of-the-Whole meeting it was decided that a new employee would be added to the staff requiring a salary. She added that knowing how tight the budget is she was conflicted and concerned about how the City is going to balance all the needs. Councilman Sims understood the concern about the tightness of the budget, which has been a concern he has had over the last three and one-half years that he has been a member of Council, but it was his impression that the recommendation for this action was initiated by the Mayor. Mayor Infeld confirmed that she initiated the salary increase.

MOTION BY MS. GOLDBERG, SECONDED BY MR. CONSOLO to approve the passage of Ordinance No. 2011-07 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

H. Ordinance No. 2011-08 Authorizing an agreement with Ace Business Solutions for lease of a copier for the City Hall

Ordinance No. 2011-08 authorizes the Mayor to enter into an agreement with Ace Business Solutions for lease of a copier system for City Hall for a period of thirty-six (36) months in an amount not to exceed $357.97 per month. Mr. Fisher noted that the lease for both copiers are through the State Purchasing Program.

MOTION BY MR. BULLOCK, SECONDED BY MRS. PARDEE to approve the passage of Ordinance No. 2011-08 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

I. Ordinance No. 2011-09 Authorizing an agreement with Ace Business Solutions for lease of a copier for the Building Department

Ordinance No. 2011-09 authorizes the Mayor to enter into an agreement with Ace Business Solutions for lease of a copier system for building department for a period of thirty-six (36) months in an amount not to exceed $357.97 per month.

MOTION BY MRS. PARDEE, SECONDED BY MR. SIMS to approve the passage of Ordinance No. 2011-09 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

J. Motion to authorize the City to enter into a joint bid with the City of Shaker Heights and the City of Cleveland Heights for road asphalt

City Engineer Joseph R. Ciuni recommended that the City enter into a joint bid with the City of Shaker Heights and the City of Cleveland Heights for road resurfacing. The City of Shaker Heights will take the lead on the bidding process. They intend to let the bids by the end of February.
Mayor Infeld stated that the road resurfacing program has been accommodated for in the budget and Mr. Ciuni will determine which streets will be resurfaced. Mr. Ciuni mentioned that part of Cleveland Heights’ road program includes Taylor Road from Cedar Road north. He noted that University Heights owns half of the street from Cedar Road to Washington Blvd., which will be part of the project.

Mayor Infeld also mentioned that a number of streets will undergo waterline replacement this year through the Cleveland Water Department. Mr. Ciuni stated that the five (5) streets approved for waterline replacement are Bushnell Rd. from Warrensville Center Road to Edgerton Road, Northwood Road in its entirety, Glendon Road in its entirety, Dysart Road from Meadowbrook Blvd. to Charney Road, and one block of Tramore Road from Tyndall Road to Meadowbrook Blvd. Mayor Infeld also noted that South Belvoir Blvd. will be resurfaced in 2012 through the County Engineer’s Office.

MOTION BY MR. SIMS, SECONDED BY MR. ERTEL to authorize the City to enter into a joint bid with the City of Shaker Heights and the City of Cleveland Heights for the road asphalt resurfacing. On roll call, all voted “aye.”

K. Motion to hire URS to complete the traffic study for the proposed McDonald’s including the establishment of an escrow account with the City whereby McDonald’s will deposit with the City Finance Director the approximate $23,000 cost of the traffic study

Mayor Infeld clarified a misprint in the Heights Observer, noting that the traffic study has not been completed, but rather the counts have been completed. Mr. Ciuni noted that the counts have been taken by URS, but they have not been paid. He stated that Mr. Rinker, attorney for McDonald’s, has requested to deposit with the Finance Director the $23,000 for the traffic study, then the City will hire URS and pay for the traffic study out of the money so deposited. Mr. Fisher mentioned that since the City will be hiring URS, the report would be presented to the City first.

Councilman Ertel inquired as to how long it will take for the traffic study to be completed once the funds are deposited with the City. Mr. Ciuni responded that URS has indicated it would take two to three weeks to complete, but that is dependent upon receiving the generation of traffic data from McDonald’s for the double drive-thrus. Mr. Ertel suggested that the Council have an opportunity to review the study in-depth prior to a vote. Mr. Ciuni stated that URS is required under the contract to present the traffic study at a public meeting.

MOTION BY MR. SIMS, SECONDED BY MR. CONSOLO to hire URS to complete the traffic study for the proposed McDonald’s including the establishment of an escrow account with the City whereby McDonald’s will deposit with the City Finance Director the approximate $23,000 cost of the traffic study. On roll call, all voted “aye.”

L. Motion to advertise for bids for professional cleaning services in municipal buildings

Mayor Infeld stated that she is requesting permission to advertised for bids to determine the cost for professional cleaning services in the municipal buildings. Councilman Conсолo inquired how the cleaning is currently being done. Mayor Infeld replied that there is one employee cleaning all buildings: City Hall, the Police Department building, the Service Department building, and the ancillary building which houses the Building and Finance Departments. Mr. Council asked what will happen with the one employee. Mayor Infeld stated that she did not know because she does not know if cleaning companies would respond to the bid and, if so, she had no idea what the price will be. Mayor Infeld thought it would be a good idea to know what the cost would be, but she assumed it would be more than her $5,000 spending authority to clean the municipal buildings for the year. Councilman Bullock asked the Mayor what would compel her decision once the bids are received. Mayor Infeld responded that it would be a matter of comparing costs.

Councilman Sims inquired if the bid would be sent to a list of companies or if the notice will just be advertised in the paper. Mayor Infeld stated that she would just advertise. Law Director Kenneth J. Fisher suggested that the City develop a list by getting names of companies from other cities so that the bid can be sent to the companies directly as well as advertising in the newspaper.

MOTION BY MR. CONSOLO, SECONDED BY MS. GOLDBERG to advertise for bids for professional cleaning services in the municipal buildings. On roll call, all voted “aye.”
M. Motion authorizing the Mayor to request a 6-month contract with the Senior Transportation Connection at 80 rides per month (40 round trips) with unlimited destination and individual riders to be limited to 2 rides per week (one round trip)

Councilman Consolo reported that this recommendation for a 6-month contract with the Senior Transportation Connection (STC) came out of the Civic Information Committee. He noted that, at the request of the Mayor, the committee looked at reducing the former contract which totals approximately $50,000 per year with approximately 26 residents using the service on a regular basis. Mr. Consolo noted that a 6-month contract would assist the Mayor in formulating the budget. He added that there was conversation during the committee meeting that perhaps there are other ways to use the funds which have been set aside for the seniors, which may be about $70,000. He added that a suggestion was made to possibly start looking at discontinuing the transportation service since so few people use it and perhaps consider other options, such as renting meeting space for the seniors and/or hiring a part-time social worker. Mr. Consolo also noted that this is a temporary move to give the Mayor an opportunity to look at the budget and determine how much money will be allocated to seniors and the 6-month period will serve as a transition period for the seniors who are using the service.

Councilman Consolo asked if the 6-month contract would start March 1. He mentioned that if it does start in March the six months would end in August when Council will be on summer recess. Therefore, if the 6-month period starts April 1 then it would run to September. Mayor Infeld commented that STC’s normal process is to notify all registered users of any change and there is a required lead time of 4 to 6 weeks before changes could be implemented. Councilman Consolo stated that April would give STC the lead time it needs. Mayor Infeld stated that she will request the 6-month contract and inform the Council of the decision as soon as possible.

MOTION BY MR. CONSOLO, SECONDED BY MR. BULLOCK to authorize the Mayor to request a 6-month contract with the Senior Transportation Connection at 80 rides per month (40 round trips) with unlimited destination and individual riders to be limited to 2 rides per week (one round trip). On roll call, all voted “aye.”

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

An executive session was not required.

Directors’ Reports:

Law Director Kenneth J. Fisher thanked Chief of Police Stehlik for circulating a press release from the Ohio Attorney General indicating that he will issue an Attorney General’s opinion on the propriety or impropriety of internet cafes by the end of February, which coincides with the City’s moratorium which expires in March. Mr. Fisher stated that he will advise the officials as soon as the opinion is issued.

Fire Chief John Pitchler reported that the department received an 6-month extension from FEMA for the smoke detector program. He noted that there will be a change in the policy on how the smoke detectors are distributed. Since a majority of residents work during the day, the policy will be extended so that residents may pick up the fire detectors at the fire station and install them on their own or they may call the fire department and have them installed. In response to a question from Councilman Consolo, Chief Pitchler noted that $44,000 has been spent on new smoke detectors and there is $37,000 left to purchase more detectors.

Chief Pitchler did not have a firm date as to when the new fire truck will be delivered, but he distributed pictures of the new truck.

Service Director Robert Jamieson thanked the Council for authorizing the purchase of the used dump truck. He noted that the truck in now in service and has made a difference over the last three weeks because other vehicles have broken down.

Mr. Jamieson stated that he was approached by Myers Snow Plow, a Cleveland manufacturer of smaller snow plows for pickup trucks and small dump trucks, to take a free prototype snow plow for field testing at no charge to the City. A newer pickup truck was dropped off for the equipment to be installed. Mr. Jamieson stated that in return the City will do product evaluation for the company.
Vice Mayor Goldberg inquired who should be contacted after hours when there is an issue with the bombardier. Mr. Jamieson replied that the department will respond to complaints during regular business hours, but the police department should be contacted after hours. He mentioned that one thing that should curtail complaints after hours is that crews do not work overtime (evening or weekends) to plow side walks. Councilman Consolo mentioned that the incident in question occurred during the work day, but the resident did not get home until the evening. Mr. Jamieson mentioned that he will take a look at how these situations are handled.

Councilman Sims noted that the sensible salting policy has saved the City money, but he inquired as to whether the department could implement a policy whereby all streets are salted when there is a unique ice/snow event that leaves ice on the streets in order to alleviate a hazard. Mr. Jamieson replied that he will have to look at when to apply a city-wide salt. He understood the concern, but was worried that residents will expect it during a normal snow events.

**Building Commissioner** David Menn presented the building department data reports for 2010. He noted that the department took in a total of $321,544.88 in 2010, which was a gain of approximately $43,000 over 2009 and $58,000 over 2008. The total collected included contractor registration fees in the amount of $71,800, permit fees in the amount of $131,419.88, point of sale inspection fees in the amount of $27,975 and rental fees in the amount of $90,350. Mr. Menn also reported that the inspections for the year totaled 11,346 and gave a breakdown for each inspector.

Councilman Consolo asked what year permit fees were increased. Mr. Menn replied that some fees were increased in 2009 and foreclosure registration was implemented in 2010. He added that an increase in certain permit fees took effect February 1, 2011.

**Committee Reports:**

**Building Committee** Chairman Frankie Goldberg reported that she will schedule a Building Committee meeting for at date in March.

Vice Mayor Goldberg explained that the Building Committee considers fee, occupancy permits, and contractor registration, which is important with different contractors being regulated in and out of the city. The committee is also looking at vending machine in terms of aesthetics. She noted that the Building Committee is critical to keeping the city consistent and to maintain uniformity, which is critical to the maintenance and the aesthetics of the “City of Beautiful Homes.” Vice Mayor Goldberg stated that she will develop a written explanation, if desired.

**Civic Information Committee** Chairman Frank Consolo reported that the committee met on February 1, 2011 and brought forth the recommendation for the senior transportation contract with the Senior Transportation Connection.

Mr. Consolo also announced that a Black History Month Program will be held at the next regular Council meeting of February 22, 2011. He noted that the Wiley Challenge Choir will perform again this year and a speaker will be finalized. Councilman Consolo welcomed suggestions from the Council members and community members.

Councilman Consolo stated that the standing committees of Council are listed in the Codified Ordinances, but they do not describe the responsibilities and duties of the committees. Mr. Consolo explained that under the Civic Information Committee he has tried to focus on areas of civic interest. He stated that the committee should not be limited by the title. He added that the second page of the council agenda list specific items on each committee’s agenda.

**Finance Committee** Chairman Steven Sims reported that there will be a meeting of the Finance Committee on Thursday, February 10, 2011 at 7:00 p.m. in Council Chamber.

Councilman Sims explained that the Finance Committee is responsible to reviewing the budget and reviewing matters relating to the financial condition of the City such as the audit. Mr. Sims stated that he will produce a written explanation of the committee’s functions.

**Governmental Affairs Committee** Chairman Susan Pardee reported that the Council work session will be held on Tuesday, March 15, 2011 from 9:00 a.m. until 4:30 p.m. with a working lunch. She mentioned that the work session will be held locally, but the location is yet to be determined.
Mrs. Pardee noted that proposals to act as facilitator at the work session will be presented from two (2) individuals: Sylvester “Sy” Murray and Sally Parker of Currere. Once received, the proposals will be forwarded to the Council members in order to determine who they want to select. The cost and offerings will be the determining factors.

In terms of what the day will entail, Councilwoman Pardee stated that she will be looking for certain deliverables for the day such as specific results in terms of goals that the Council can move forward with, which is what other Council members have expressed an interest in as well. But the deliverables and the course of the day will be part of the proposals that they have yet to receive. Mrs. Pardee stated that they will be looking at short and long term goals for the Council.

With regard to the public videotaping the work session, Mrs. Pardee referred that question to the Law Director. Mr. Fisher stated that a public meeting can be videotaped as long as it does not interfere with the public business. Therefore, he advised that if the taping is done discretely and in a way that it does not interfere with the public business it is appropriate for the public to videotape a public meeting.

Councilwoman Pardee stated that when her term on Council started she tried to find a written definition for the Governmental Affairs Committee, but could not. When seeking guidance, she was informed that she could do what she wanted with the committee. Therefore, she has undertaken strategic planning which the other members of Council have supported. Mrs. Pardee also noted that the Governmental Affairs Committee deals with bodies of government such as the School District.

**Under Recreation Committee,** which is chaired by Councilman Murphy, Mayor Infeld reported that a Recreation Committee meeting is scheduled for February 15, 2011 at 7:00 p.m. in Council Chambers. She noted that the committee will review last year’s recreation program and discuss the programs for the coming season.

Mayor Infeld explained that the Recreation Committee studies the recreational offerings of the City, both current offerings and ideas about different programs.

**Safety Committee** Chairman Steven Bullock did not have a report, but he explained that the Safety Committee is one of the standing committees of Council. He noted that the committee concerns itself with the safety and protection of the city (buildings, infrastructure, etc.), its residents and visitors. The committee focuses on the safety services: Police Department, Fire Department and EMS. Mr. Bullock stated that she could expound in writing if that is desired.

**Service and Utilities Committee** Chairman Phillip Ertel reported that his committee will meet at a series of three (3) meetings to review the Rubbish Study and to make a final determination. All three meetings will be held a 7:00 p.m. in Council Chambers on the following dates: Tuesday, March 29, 2011; Tuesday, April 5, 2011; and Tuesday, April 12, 2011.

Councilman Ertel explained that the Service and Utilities Committee works with the Service Director in addressing the service and utilities issues of the city, which can be very intricate. He added that the committee also looks at larger issues such as the Rubbish Study and tree planting policies. Mr. Ertel mentioned that he will write an explanation to put it on the website.

Mayor Infeld stated that the purpose behind the committee is that legislatively each Council member is responsible for a different function of the City and they work with the different Directors to get a sense of the legislative needs of the City. She added that sometimes the legislative needs comes from the Mayor, sometimes they come from the various Councilpersons individually, and sometimes they come from a collaboration of the Councilpersons and the City Directors. Mayor Infeld stated that she will write something on Council committees for the next newsletter.

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

Susan K. Infeld, Mayor

Nancy E. English, Clerk of Council