



**C. Planning Commission Recommendation: Dunkin' Donuts 13880 - 13882 Cedar Road, application for four (4) Variances for the construction of a new building**

Mayor Infeld introduced Jeffrey Meyers, Architect for David Sommers & Associates and Ashwani (Eddie) Adya, owner of Dunkin' Donuts.

Mr. Meyers gave an overview of the project including; the process of how the drive-thru would operate, flow of vehicle traffic, noise control, necessary set-back and variances, lighting, recommendations from Architectural Review Board, corporate Dunkin' Donuts regulations and standards

Police Chief Steve Hammett and City Engineer Joseph Ciuni explained and voiced their concerns in regards to the egress/regress traffic patterns for the proposed parking lot as well as the parking regulations and signage for Vernon and Cedar Roads.

Mr. Eddie reported that between 90 – 100% of Dunkin' Donuts stores operate on a 24/7 time basis. The menu items for the University Heights store would include sandwiches, bakery items and beverages. All items are pre-cooked (frozen), nothing will be cooked on the premise and there will be approx. 20 full and part-time employees. Deliveries will occur daily during the early morning hours and will take only 5 to 10 minutes to complete the delivery. The store lobby will be closed from 10pm/11pm until 5am with the drive thru being open 24hours.

**MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to open meeting up to allow a public comment session for this agenda item. On roll call, on passage, all voted "aye."**

Ms. Debra Segel, 2211 Barrington Road voiced her concern about safety, traffic and potential accidents.

Mr. Buddy Kohl, business owner of K's for Men voiced his concern about traffic.

Mrs. Tej K. Singh, business owner of Subway voiced her concerns about the following; accessibility for her business, safety, Wiley school children, monitoring of traffic.

Mr. Ciuni explained how the traffic signals on Cedar Road are synchronized by one (1) controller located at Cedar and Warrensville Ctr. Road to control the traffic between Warrensville and Fenwick. Mr. Ciuni also explained that the City would have to provide ODOT (Ohio Dept. of Transportation) a traffic study to show why change the placement or numbers of traffic signals are warranted.

Ms. Robin Bachman, 3957 Lansdale Road suggested that the arrow signs are clear to show that traffic can also drive straight across the street in addition to make the turn and also her concerns about having a busy drive thru and business.

**MOTION BY VICE MAYOR GOLDBERG, SECONDED BY MRS. CAMERON to approve the Planning Commission recommendation for the approval of the application of David Sommers and Associates (Dunkin' Donuts) to build a Dunkin' Donuts located at 13880-13882 Cedar Road, and to conform with the application and the law with the following conditions:**

**A. Per City Engineer's Joseph Ciuni request, submission of;**

- (1.) boundary survey
- (2.) geometric plans
- (3.) grading plans
- (4.) drainage plans
- (5.) storm sewer Management report and details complying with Ohio EPA rules and regulations
- (6.) storm water pollution prevention plan

**B. Four (4) request for variances;**

- (1.) 18' Variance on Vernon Road side for building setback
- (2.) 10' Variance in front (Cedar Road) of lot for parking setback
- (3.) 10' Variance on west side (Library side) for parking setback
- (4.) 15' Variance on Vernon Road side at front corner for parking setback

- C. **The existing wall on the South end shall be retained to the extent feasible subject to the Architectural Review Board's final approval.**
- D. **In accordance to the applicant's submitted documents regarding sound and lighting.**

**On roll call, on passage, all voted "aye," except Mr. Ertel who voted "no."**

- D. **Motion to Authorize City to purchase 2007 Jeep Commander for the Police Department from the FBI.**

Police Chief Hammett stated that the vehicle was seized as part of a Federal investigation which was initiated by the University Heights Police Department.

**MOTION BY MRS. ZUCKER, SECONDED BY MR. SIMS to purchase 2007 Jeep Commander from the Federal Bureau of Investigations for \$8,000.00 plus any storage charges. On roll call, on passage, all voted "aye."**

- E. **Motion to Authorize City to purchase 2014 Ford Escape for Building Department in the amount of \$20,013.80**

Mr. Menn stated that the price is based on the State purchase pricing.

**MOTION BY MRS. CAMERON, SECONDED BY MR. ERTEL to purchase 2014 Ford Escape for the Building Department in the amount of \$20,013.80. On roll call, on passage, all voted "aye."**

- F. **Ordinance No. 2013-36 Authorizing the Mayor to Submit the City's Application for Funding of the 2 Power Pro Ambulance Cots under the Requirement's of the Bureau of Workers Compensation Demonstration Safety Grant and Declaring an Emergency**

Mayor Infeld explained that the application would provide 75% funding for the purchase of a second cot.

**MOTION BY MRS. PARDEE, SECONDED BY VICE MAYOR GOLDBERG to approve Ordinance No. 2013-36 authorizing the Mayor to submit application to the Bureau of Workers' Compensation for the funding of two (2) Power Pro Ambulance Cots from Stryker. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."**

- G. **Ordinance No. 2013-33 Establishing the Compensation for Mayor and Declaring an Emergency.**

Mr. Wiseman reported that the Finance Committee met on June 24, 2013 to discuss the compensation for members of City Council, Mayor and Safety Director beginning with the terms for 2014.

Mr. Wiseman further explained that currently the position of Safety Director and Mayor are two (2) separate positions within the City. Combined both positions receive compensation in the amount of approximately \$70,500 (Mayor \$33,750; Safety Director \$36,750).

Mr. Wiseman stated that both positions are distinct, the Safety Director position is vital to the City that is ably and necessarily handled by the position of Mayor. The positions of Safety Director and Mayor have been performed by same person for at least the last 30 years.

Mr. Wiseman explained that Ordinance No. 2013-33 establishes that the Mayor's compensation be \$75,500 for the next four (4) years and Ordinance No. 2013-34 adjusts the total compensation of the Safety Director to \$1.00. The City Charter remains the same; where there are two (2) different departments and where the Mayor will be required to appoint a Safety Director at the beginning of 2014. In summation the total compensation package will go to the Mayor, with the Safety Director receiving \$1.00.

Mrs. Pardee noted her disagreement in the Finance Committee meeting and again at this time in reference to combining the salaries of the Mayor and Safety Director. Mrs. Pardee expressed her belief that the City Charter is structured for the positions of Mayor and that of Public Safety Director. Mrs. Pardee stated that the Department of Public Safety and position of Safety Director is crucial and that the compensations could stream out of two (2) different funding codes, one depicting the Mayor and one depicting the Public Safety Director. Mrs. Pardee noted her agreement in raising the salary for the position of Mayor.

Mrs. Goldberg agreed that the salary increase is warranted and offered that the Mayor of University Heights is the CEO of the City. Mrs. Goldberg also remarked that the Mayor's responsibilities not only entail the responsibilities of Mayor but also encompasses that of the Safety Director overseeing the Fire and Police services for all residents.

Mr. Ertel stated he felt it was important to keep the salary competitive in order to have quality candidates.

Mr. Sims stated that in looking at the City Charter and the importance of the Mayor's and Safety Director's position, honor has to be given to both.

**MOTION BY MR. WISEMAN, SECONDED BY MRS. ZUCKER to approve Ordinance No. 2013-33 establishing the compensation of the Mayor as \$75,500.00 annually for the term beginning January 1, 2014. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."**

**H. Ordinance No. 2013-34 Establishing the Compensation for Safety Director and Declaring an Emergency.**

**MOTION BY MR. WISEMAN, SECONDED BY VICE MAYOR GOLDBERG to approve Ordinance No. 2013-34 amending Section 2 of Ordinance No. 2011-07 by updating the annual compensation rate of Safety Director to \$1.00 effective January 1, 2014. On roll call, on suspension of rules, all voted "aye," except Mrs. Pardee who voted "no."**

**I. Ordinance No. 2013-35 Establishing the Compensation for City Council members and Declaring an Emergency**

**MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to withdraw from the Agenda Ordinance No. 2013-35 establishing the compensation of Vice-Mayor and Members of Council for the terms beginning January 1, 2014 and January 1, 2016. On roll call, on withdrawal, all voted "aye."**


**J. Resolution No 2013-37 Authorizing the Mayor to apply to the Northeast Ohio Areawide Coordinating Agency (NOACA) for Transportation for Livable Communities Initiative Study and Declaring an Emergency**

Mayor Infeld stated grant money could provide, if awarded up to \$75,000.00 with the requirement that the City match the awarded amount by 20%. Mayor Infeld stated she would like the study to explore the corridors along Cedar and Warrensville Center Roads to see if they can become more pedestrian and bicycle friendly.

**MOTION BY MRS. PARDEE, SECONDED BY VICE MAYOR GOLDBERG authorizing the Mayor to apply to NOACCA for Transportation for Livable Communities Initiative. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."**

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

**MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to adjourn. On roll call, all voted "aye".**

  
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 Susan K. Infeld, Mayor

  
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 Kelly M. Thomas, Clerk of Council