

**MINUTES COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
JUNE 1, 2015**

Mayor Infeld called the regular meeting to order at 7:34 p.m.

Roll Call:

Present: Mrs. Susan Pardee
Mr. Mark Wiseman
Mrs. Adele Zucker
Ms. Nancy E. English
Mr. Steven Sims

Absent: Mr. Phillip Ertel (present at 7:38pm)
Ms. Pamela Cameron

Also Present: Law Director Luke McConville
Finance Director Larry Heiser
Police Chief Steve Hammett
Service Director Jeffrey Pokorny
Clerk of Council Kelly M. Thomas
Building Commissioner Eric Tuck-Macalla
Community Development Coordinator Patrick Grogan

MOTION BY MRS. ZUCKER, SECONDED BY MRS. PARDEE to excuse the absence of Mr. Ertel and Mrs. Cameron. On roll call, all voted "aye."

Pledge of Allegiance

Approval of Minutes from Council Meeting May 18, 2015

Mrs. Pardee provided corrections to page 1 under Comments from Audience Mrs. Pardee corrected the event to read "All Geared Up" and the Julie Lustic staff member Canterbury. On page 5, paragraph 4 should read Mr. Ertel suggested that two members of Council be on the steering committee.

There were no other additional corrections or amendments to the May 18, 2015 minutes.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN to approve the minutes of May 18, 2015 as amended and corrected. On Roll call all voted "aye," except Mr. Sims and Ms. English who "passed" and Mr. Ertel who "abstained." Roll call on re-poll, all voted "aye," except Mr. Sims and Ms. English who "passed."

Comments from Audience

Mrs. Frankie Winston, 2316 Allison Road stated she was present on the behalf of the residents of Allison Road and voiced their concerns in the City changing the date of the planned repaving of his street. Mrs. Winston added that the residents wish that the repaving would be done and that it be done immediately but that they are also looking forward to the new date of June 8, 2015.

Mrs. Kathy Adams-Case, 3497 Tullamore Road stated that she lives next door to 3505 Tullamore. Mrs. Adams-Case continued to say that property is a blighted property the property was in poor repair when it was occupied over five years ago. That property was um, there's been a long legal history with that property. The owners wound up suing their mortgage company which delayed the foreclosure eventually the home was umm, eventually made it into foreclosure but the bank rescinded, (Mrs. Adams-Case noted she didn't know the proper term. But the property wound up going back to the property owners without the owners fully knowing that. The owners were locked out of their home; they were padlocked out of the property and were somewhat surprise to learn that they still owned the property. Anyway the property has been vacant for five years and as I said it was in poor repair when it was owned. The property has been involved in problems and it's become/becoming a bit of a haven for problems. Mrs. Adams-Case said her driveway is adjacent to this property. In coming home one evening with her children, chair seat, toddler, dipper bag, etc. and as they were walking up the driveway she saw, saw footprints in the snow leading up to the windows of this property, the window was

opened, the curtain was going in and out in the breeze; the screen had been cut. Someone clearly broke into that property. That was the most alarming incident until a few months ago. There have been nuisance problems since. She has come home to footprints on her central air unit which faces the kitchen window. This is just bringing an element that we don't need in University Heights.

Mayor's Report to Community

- The City's summertime band concerts are beginning this week on Thursday at 7:00 pm. The concerts will be held at John Carroll University in the Dolan Quad area. Selected bands concerts will provide free ice cream to those in attendance. The schedule is listed on the City's website as well in the Summer Recreation booklet.
- The County is finishing up the punch list of work to finish the resurfacing project on South Belvoir Blvd from last year.
- The pool season has begun with its Memorial Day weekend pre-season; the regular season will begin this weekend. The hours of operation and other summer activities are listed in the Summer Recreation booklet.

Agenda Items:

Mayor Infeld introduced Mr. Glynn Coyne and Mr. Jim Sonnhalter from the Cuyahoga County Planning Commission.

Mr. Coyne began his presentation with a slide show which provided information regarding the entire process of the agency helping municipalities formulate their Master Plans.

Mr. Coyne stated that the County Planning Commission is an independent agency that seeks to balance the regional view. The Board is comprised of 11 board members, 3 of which are County representatives. The Planning Commission is currently working with the City of Beachwood but is also working throughout the County regarding housing studies and economic development. Mr. Coyne also noted that the Commission is working on the use of "green print" and electronic viewing.

Mr. Coyne explained that the Memorandum of Understanding is merely a scope of work and proposed schedule. Mr. Coyne highlighted the scope of work to include:

- Process of Plan (where the City is today: population, issues of today)
 - Proposed Survey (what the community wants, likes, etc.)
 - Vision (what University Heights will look like in the future)
 - Turn all visions into Policies (goals/policy for the next 10 years)
 - Implication/Final Action Plan
- Tentative Timeline
 - get current conditions together and completed by end of Summer 2015
 - work through the process over the Winter time
 - the process usually takes 12 months
- Feedback
 - Project Team (will be regularly at City Hall)
 - Steering Committee (comprised primarily of: business, residents, whomever the city wants on the committee)
 - Public Meetings (2 meetings: halfway through the process and near the end of process)
 - City Council Briefings (to be determined)

Mr. Sims asked if there was an amount designated for Master Planning and what is the amount.

Mr. Coyne replied that the County Council budgeted \$450,000, each City presented different proposals and not every city gets the same amount of funding. The University Heights proposal was very standard.

Mr. Sims asked who conducts the Master Plan and if it is someone dedicated to the municipality.

Mr. Coyne replied the Cuyahoga County Planning Commission conducts the Master Plans with a specific team assigned to each separate City. The teams will be assigned as the Master Plans are approved.

Mr. Sims stated his questioning was based on whether the team member would have expertise that might apply to the issues that University Heights is facing as opposed to other communities.

Mr. Coyne assured Mr. Sims that that would be the case.

Mr. Sims asked if the Master Plan would be a livable plan.

Mr. Coyne noted that a summary table will be provided that livable/workable.

Mr. Wiseman asked Mr. Coyne what the plans are to join the interest of the various Cities and have them collaborate together during the Master Plan process.

Mr. Coyne stated that yes there will be collaboration where the opportunities exist.

Mr. Ertel asked if there was any way to involve the Council in the input process as opposed to the output.

Mr. Coyne noted that those briefing will occur at the beginning of the process and not at the end.

Mr. Sims asked about Mr. Coyne's statement that the County Planning will help the City analysis the survey results because to him it seemed that that is what the County Planning Commission should be doing; who in the City would be analyzing it.

Mr. Coyne stated that the Planning Commission would scan in the survey and generate the raw data with reports. Mr. Coyne noted that he was informed that the City has staff with analytical experience but the County Planning staff will do the bulk of the work.

Mr. Sims replied that he still has concerns but that he would follow-up to make sure that as the process precedes that the resources the city is putting into it are fully utilized through the analysis because it would not be any good if the city surveyed the residents and then there's not the capacity to analyze it and the County Planning Commission is not paid to do it.

Mayor Infeld noted that the City's in-house help would be from the City's Community Development Coordinator, Mr. Grogan under the director of the County Planning Commission.

Discussion was held regarding the survey and the delivery of the survey to residents.

Mr. Coyne informed the Council that the Master Planning process with the Steering Committee could begin without a decision on the survey using the existing conditions.

Mayor Infeld commented that a Master Plan could exist without a survey but it would be a better product if there was more input through a survey.

A. Motion Authorizing Mayor to enter into a MOU (Memorandum of Understanding) with the Cuyahoga County Planning Commission to develop a comprehensive Master Plan for the City. (take off the table and passage)

MOTION BY MR. SIMS, SECONDED BY MR. ERTEL to remove the Motion authorizing the Mayor to enter into a MOU (Memorandum of Understanding) with the Cuyahoga County Planning Commission to develop a comprehensive Master Plan for the City. On roll call, all voted "aye."

Mr. Wiseman stated his main concern at this point was that he would like to see members of Council on the Steering Committee and that Council deserves to have members on the Steering Committee whether it is one or two members.

Mayor Infeld replied that she understood Mr. Wiseman's concern and noted that in the meetings she has had with the County Planning Commission, the Steering Committee would be made up of residents, Architectural Review Commission, representation from businesses, John Carroll University. Mayor Infeld stated that these are not big numbers of people, if the Steering Committee is too big as it is meant to provide some type of feedback to the Planning Commission to bounce ideas off. Also on the Steering Committee would be the City's Board of Zoning Appeals, as well of the other mentioned groups. The Steering Committee would serve sort of a sounding board group to work with the Planning Commission as they are gathering and flushing out data. Mayor Infeld noted that this is population of the group as is currently stands. Mayor Infeld stated her concern with having Council representation would be that it would not over power the residents, sometimes in Mayor Infeld's observation elected officials when joining a group residents sometimes can cause a limitation in discussion. And for that reason Mayor Infeld said she would not recommend the entire be present because they would then match the number of residents and the resident would defer to their own elected representative.

Mr. Ertel replied that limiting representation to two (2) Council persons might be the **recipe**.

Mrs. Pardee asked Mayor Infeld what is the deemed the best number of representatives to have on the Steering Committee.

Mr. Coyne replied 12 to 15 persons.

Mayor Infeld stated that the population that she has as this point is three members of the Architectural Review Board, four members of the Board of Zoning (excluding the Mayor), two business owners, a representative from the School District and a University representative for a total of eleven people.

Mrs. Pardee stated her heard and appreciates the Mayor use of the special knowledge of the persons she already looked at and the representation for specific areas, what Mrs. Pardee did not hear was just a typical resident, i.e. someone from the community, someone from the east side of town, the west side of town, someone who might represent young families. Mrs. Pardee asked Mayor Infeld if she was planning on also inviting such people and is it possible for Council to recommend some members to sit on the Steering Committee.

Mayor Infeld replied that she didn't think the Steering Committee would be the avenue for that as the public meeting would be the appropriate avenue. The Steering Committee purpose is to bounce ideas off and flesh out some of the component of the Planning Commission analysis. The public meetings/the community visioning process is where the bulk of the work will happen. Those meetings will be much larger with people from all walk of the community addressing a set of concepts.

Mrs. Pardee noted that she appreciated Mayor Infeld's comments, but that it makes her very uncomfortable to think that there's no just typical community resident on the Steering Committee. Mrs. Pardee stated that she felt that it is not really representative if citizens from the community who aren't already invested in a very specific way, representing a specific agency. And they (residents) wouldn't necessarily hold up the process or be able to be knowledgeable enough to be brought up to speed to bounce ideas effectively, in fact Mrs. Pardee stated she thought that would be what the benefit would be; to bounce ideas that aren't the typical ideas that would come out of many of the representative groups.

Mayor Infeld responded that she appreciated Mrs. Pardee thoughts, but she though demographically the people who make up these distinct groups in the City live on different sides of town, all different ages, some have young children, some are retired, we can add another young family person. These are also committed to meetings and understand the process. It not to say a new person couldn't understand the process, but to say you have to be a certain age, have young children when we already have those criteria met in large part by this select group of people. Mayor Infeld noted she could certainly find someone else to be on the committee, she was just trying to oblige by a good size working group. The visioning meeting will be different in that they will most likely be in the evening and at a much venue than Council Chambers.

Mrs. Pardee stated that everyone is excited and has expressed they are thrilled to be doing the Master Planning after 12/13 years. It sounds like a wonderful process and a great partnership with the County. The question Mrs. Pardee had was if something needs to be placed in writing since the composition of the Steering Committee is one of Council questions and asked her colleagues if they felt they wanted to add something to the memorandum that includes information or designations, such as what has been brought up.

Mayor Infeld asked Mr. McConville since he reviewed the memorandum of understanding if something to that level of detail need to be written in it or can it be handled administratively.

Mr. McConville replied that there's nothing that would prevent it from being written in, it would be up to the County to decided if they were willing to agree to it or not. There is nothing precluding Council from approving a contract that would have additional language in it. Mr. McConville stated it strikes him as more of a political issue than a legal issue. The document isn't going to run a file of any applicable law because it either specially designates partial composition of the Steering Committee or not.

Mr. Sims commented with respect to the general composition of the Steering Committee, he thought it would be beneficial to try to include new people from the community and noted he didn't see the need or the reason that we would include the entire BZA, or the entire Planning Commission or the entire anything. But, added that he did see the value of their participation, so as a way of maybe opening some spots for other people that may want to be considered. Mr. Sims most important point for him was that there has been a request, and thus far there has been no real answer given. Mr. Sims stated that he agreed that it's not anything that needs to be written into the agreement; it's an consent or agreement that Council needs to hear that there will be members of Council that will serve on the Steering Committee and that could be a straight forwarded yes, we (city) will add two (or one) council members. And based on the composition of the committee Mr. Sims stated he was not convinced that they (other Steering members) would be intimidated by a Council member being on the committee because these are people, as the Mayor stated, who are well established within the City's process and know how things operate, they are used to interacting with Council people and they are well established people in their own rights. And for those reasons Mr. Sims thought the request to add Council members or a council person to the committee is a good suggestion and more importantly Mr. Sims stated that he honestly believed that it would facilitate any of the other things that have to be done with

respect to making sure that the process is smooth.

Mayor Infeld stated that she would be willing to place a notice in the next newsletter and ask for volunteers, but it is very rare that you would get someone to volunteer. Mayor Infeld said that she doesn't want Council to feel excluded from the process and that Mr. Sims made a good point about the persons already being professional people who are already interacting with City representatives and she would be happy to give somebody new a chance, they could be a future Council person or Mayor. Mayor Infeld added that the City can certainly put people on the Steering Committee so that Council feels like their voices are heard too and reminded Council that they are sort of the ultimate approval of all of everything.

MOTION BY MR. ERTEL, SECONDED BY MR. WISEMAN to authorize the Mayor to enter into a MOU (Memorandum of Understanding) with the Cuyahoga Planning Commission to develop comprehensive Master Plan for the City with the addition of two (2) council people to the Steering Committee.

Mayor Infeld asked Mr. McConville if that needs to be legislated.

Mr. McConville replied if the County is approving the Memorandum contingent on that with the condition then

Ms. English commented that she was in favor of the Memorandum of Understanding and doing the planning process. Ms. English also stated that she felt that there should be members of the Council on the Steering Committee as well as regular residents. Ms. English continued to ask if Council would pass a Resolution establishing the Steering Committee as far as setting up the composition; i.e. two Council members, one or two members of the Planning Commission, one or two members of the Board of Zoning, either two or three residents to get to a total committee number between 12 and 15 members. This way Council is not holding up the Memorandum of Understanding but establishing the composition.

Mr. McConville replied that that would be problematic, if Council wants to approve a Memorandum that specifically lays out the detail that Ms. English referred to the regarding the Steering Committee. That can be done as a drafting exercise that Council could ask him to accomplish for them. Mr. McConville suggested that Council looks at the language on a subsequent date and approve subsequent to tonight to Council wants to move in that direction. Mr. McConville stated that he thought the issue there was that the MOU is a contract that needs to be executed and then administered by the Administration and he stated he had his doubts as to whether there would be a desire on the part of the Administration to execute and administer that kind of contract. Mr. McConville noted that he could draft the language that would specify the Steering Committee and that level of detail and Council could vote to approve it, it would be up to the County Planning Commission to choose whether they would enter into that MOU with the City or not. It would also be up to the Administration to choose where they were going to enter into it. That is the issue.

Mr. Wiseman asked Mr. Coyne if the conditional condition that Council placed on the MOU would be acceptable to the County Planning Commission.

Mr. Coyne replied that the County Planning Commission would work with whatever Steering Committee that the City appoints/puts together. As long as Council was aware of the discussions that was held during this meeting.

Mayor Infeld added that the entire process will be very public, as all City meetings; the meeting dates will be posted.

On roll call, all voted "aye."

B. Motion Authorizing Mayor to enter into an agreement with the Cuyahoga County Planning Commission to Provide Professional Planning Services for a University Heights Community Survey at a cost not to exceed \$8,400.00. (take off table for passage)

There was no discussion.

MOTION BY MR. SIMS, to take authorizing the Mayor to enter into an agreement with the Cuyahoga County Planning Commission to Provide Professional Planning Services for a University Heights Community Survey at a cost not to exceed \$8,400.00 off the table and approve. Motion failed due to lack of second.

C. Ordinance 2015-19 Authorizing the Mayor to execute a Site Lease Agreement, subject to the approval of the Law Director, with Clear Wireless, L.L.C. for Antenna Facilities on the existing monopole and equipment shelter on municipal property. (on second reading)

Mr. McConville stated that he had spoken with Building Commissioner Eric Tuck-Macalla regarding the proposed plan from Clear Wireless in respect with what they (Clear Wireless) want to on the site based on the status that the City has not received the plans from Clear Wireless. Mr. McConville provided his opinion that it may be premature to approve Ordinance 2015-15 tonight and recommend that it be tabled until such time as the City has their plans to review. Mr. McConville added in context to Mr. Ertel's comment at the previous Council meeting regarding any opportunity negotiate the lease fees.

MOTION BY MRS. PARDEE, SECONDED BY MS. ENGLISH to table Ordinance 2015-19 authorizing the Mayor to execute a Site Lease Agreement, subject to the approval of the Law Director, with Clear Wireless, L.L.C. for Antenna Facilities on the existing monopole and equipment shelter on municipal property. On roll call all voted "aye."

D. Resolution 2015-21 Declaring the structure located on the property at 3505 Tullamore Road to be a public nuisance and Declaring an Emergency.

Mr. Tuck-Macalla stated that the Building Department sent the owners of the property at 3505 Tullamore notice of violations via mail three (3) different times to no avail. Currently the property is bank owned and the city has not been able to find anyone to maintain the property.

Mr. Wiseman noted that the list of violations is only for the exterior of the home and asked if the interior had been inspected.

Mr. Wiseman: Mr. Tuck-Macalla the inspection report that we received in the packet involves exterior violations, I'm assuming that there was no interior inspection.

Mr. Tuck-Macalla: no we haven't done an interior inspection.

Mr. Wiseman: any thought given to an interior inspection on the property.

Mr. Tuck-Macalla: generally an interior inspection is done after the demolition process has started. So right before the contractor goes into abate the asbestos. Generally if we can't get in then we get a warrant at that time to look at it. For the most part, these properties are a nuisance and set up for demolition not so much for the condition of the property, most of the properties I see are pretty much in the same condition, they aren't falling down but there just someone coming along to take possession of them, no one coming along to rehab the property and they are just a nuisance and there not much else that the City can do. That is why at this time I'm not pursuing going into the properties; that usually comes at a later date.

Mr. Wiseman: so we have no idea what's inside the property, other than raccoons.

Mr. Tuck-Macalla: yes, other than we can guess from being at other properties I can tell you there's mold in there, that there's vermin in there, there probably a lot of water damage in there just most of the vacant properties that I do look at and I do go inside.

Mr. Wiseman: do you know if this property is on the City's vacant property registration list.

Mr. Tuck-Macalla: it is, but that is pretty old. It's been about five years since someone has registered that. So, yes it's been on the list.

Mr. Wiseman: but they've never updated their registration? They're supposed to do it every year aren't they.

Mr. Tuck-Macalla: there's not even a person that cuts the grass, we've been cutting the grass for five years so they aren't going to come an update the register.

Mr. Sims: I would be the first to have a problem with vacant and dilapidated properties in the City and anything that is a nuisance. What I need to understand is, are we taking this property from someone, what are we doing here. You said there are owners. I don't understand.

Mr. Tuck-Macalla: At this point all I'm asking is that it be declared a nuisance. And, then start the process of demolition. And in that process would be finding, all the interested parties would be notified and if someone steps forward that would be wonderful. Because right now I'm sending letters to people who are not stepping forward to take any type of responsibility.

Mr. Sims: So this is the first step in the process.

Mayor Infeld: Demolition funding for a City of our size would be handled by the County Land Bank. They would make the determination verifying the condition of the property. It could be possible that they would say we don't believe this should be taken down. But we don't know because we aren't at that point yet. The funding from the County would require that we use the service of the Land Bank once it's awarded.

Mr. McConville: I've worked with Land Bank intensively and they won't institute a demolition

until their legal department is satisfied that all the notice requirements and due process requirements have been met. So there's sort of an extra layer of legal review there.

Mr. Wiseman: For those of you who don't know I have quite a bit of background in this issue. I worked for the Foreclosure Prevention Program in Cuyahoga County for a number of years and spent the last five years after that working on vacant properties and dealing with these issues. The docket that's been handed out shows that the house went into foreclosure in 2008, in 2009 the woman filed bankruptcy. Usually when you file bankruptcy you're understanding that you are going to leave the house. You leave the house because you can't pay it, that's comes with almost every personal bankruptcy itself. I know we re-did the steps in this house, I don't know if it was in 2010 it was before I got on Council but you'll notice in July 2013 the bank that had started the foreclosure that had asked to kick this woman out of the house filed a motion to dismiss the foreclosure because they decided they didn't want the house. So the house has been empty for at least three years it could be from the beginning of the foreclosure case. And that happens all too much, what happens then is it's in limbo and this poor woman who thinks she has nothing to do with the house now is getting notices from the City that say you have to pay, you have to fix this, you have to take the house down. Of course she filed bankruptcy; she probably doesn't really understand what going on. I appreciate Ms. Adams-Case coming and talking to us, I can't imagine how annoying it is or how scary it is to have the house next to you be empty, who knows what going on inside. A lot of times there's squatters in the house, people go in and steal stuff, put stuff there, we can argue all night whether the guy with the car running from the Cleveland Heights Police knew the house was empty but I think this is a great step. I would like to see other than this, some mechanism where we actually go inside the house, such statute I think would let us do that if we think it dangerous. You can see from the pictures of this house it looks ok from the outside and this is the sad thing about vacant houses. That it looks ok and you drive by and it's fine but the back, and the windows and everything tells a different story. Certainly raccoons I know they haven't had their rabies shots, it very dangerous. I would be freaking out if I had a toddler. So I'm glad that we're able to do this. No one wants to knock a house down but I'm sure the residents would rather have an empty lot than a house that could have who knows what in it.

Mr. Tuck-Macalla responded that currently there has not been an official interior inspection done generally the interior inspection is done before the demolition process has started. But, in looking through the windows the presence of mold, water damage, etc. is apparent. Mr. Tuck-Macalla recommended that Council declares 3505 Tullamore a nuisance.

MOTION BY MR. ERTEL, SECONDED BY MR. SIMS approving 2015-21 Declaring the structure located on the property at 3505 Tullamore Road to be a public nuisance and Declaring an Emergency. On roll call on suspension of rules, all voted "aye," roll call on passage, all voted "aye."

E. Ordinance 2015-22 Declaring the Structure located on the property at 3901 Silsby Road to be a public nuisance and declaring an emergency.

Mr. Tuck-Macalla reported that this was Ms. Kathy Coleman's home that had a fire and went into foreclosure. The current condition of the house is that the roof has holes in it from the fire so is covered with a tarp, windows are broken and boarded up. The house is owned by Chase Bank but they are not maintaining it.

Mr. Wiseman asked if the house was purchased out of foreclosure.

Mr. Tuck-Macalla replied that the house was not purchase via foreclosure and the only communication from Chase has been via email.

Mr. Wiseman asked how long the house has been vacant and if it should be demolished.

Mayor Infeld said the house has been vacant since the fire in 2011.

Mr. Macalla replied the house should be demolished.

Mr. Sims asked if the city had a process was for accessing properties and there condition, as far as whether they represent a nuisance on an ongoing basis and how are these types of properties coming to the city's attention.

Mr. Macalla stated he has and maintains a listing of homes in this type of condition.

Ms. Sims asked if there were other potential properties that could fall within any grant application that the City is considering and noted that he was glad to learn that the Land Bank is part of this process of checking to see if properties can be saved and having it rebuilt and remodeled (subsidized by the Land Bank) over demolishing every property that becomes a nuisance. Every property that is a nuisance necessarily should fall in the path of demolition.

Mr. Macalla replied that it is rare that it is the condition of the property that causes the parcel to be demolished it is generally because of disinterest in the property and because of economic

conditions. Mr. Macalla added that any house can be rehabilitated, but it may not be economically feasible.

MOTION BY MR. ERTEL, SECONDED BY MS. ENGLISH approving Resolution 2015-22 Declaring the Structure located on the property at 3901 Silsby Road to be a public nuisance and declaring an emergency. On roll call on suspension of rules, all voted "aye," roll call on passage, all voted "aye."

F. Resolution 2015-23 Declaring the Commercial Structure located on the property at 2115 South Taylor Road to be a public nuisance and Declaring an Emergency

Mayor Infeld noted that this is the old KFC restaurant.

Mr. Tuck-Macalla reported that all the taxes on the property have been forgiven with the foreclosure so any landscaping maintenance that the City does, i.e. grass cutting which is done every two weeks is done at cost to the City.

Mr. Sims asked if the Land Bank handles commercial properties as well as residential properties.

Mayor Infeld responded yes, with a maximum cost of \$100,000. If the cost exceeds that then the Administration would come back to council to supplement the funding for the additional cost.

Mr. Wiseman noted to Mr. Macalla that the 2015 building notices were addressed to Lakeview Holdings and the other were to Premier Restaurant Management and asked if that means that Lakeview Holdings currently hold the title and in there was any information available regarding the condition of the interior and whether it is safe.

Mr. Tuck-Macalla replied that he received no responses regarding that.

Mr. Wiseman asked if the City could continue to cut the grass without declaring it a public nuisance.

Mayor Infeld answered that the City would then be absorbing the cost and that is not usual for the city to do that but the City will continue to cut the grass.

Mr. Wiseman commented that he was not sure what kind of shape the building in and he was not sure it would be prudent to have it torn down if it can be saved and be used by another business. Is the property really a nuisance?

Mayor Infeld noted that this is the City's only mechanism of last resort to contact the property owner and say that this structure is problematic. The Administration believes it is public nuisance; it is a commercial building with a lot of windows that has been empty for a number of years. The owner has shown no interest in the building or property. The City has no authority to market the parcel and is a potential public safety hazard to have this building sitting there empty.

Mrs. Zucker asked if the taxes are being paid.

Mr. Patrick Grogan, the City's Community Development Coordinator reported that the property owner stopped paying the property taxes in 2010 and that the property went into foreclosure in 2011. The taxes from 2016 and previous taxes have been forgiven.

Mr. McConville noted that if the property is declared a nuisance the City then has the leverage to go to the property owner and say; your property has been declared a nuisance by Ordinance and the City is proceeding to implement the process of demolition of the building. The practical reality is that companies buy these tax lien certificates sight unseen, in respect to the property it pure real estate speculation and the fact that the property will now be a public nuisance may prompt someone to actually visit the property and see what the structure is like. The choice is does Council want to apply that pressure.

Mr. Wiseman asked if something else could be done to save the property. Maybe the Land Bank would get involved and help the city sue the owners and try to get the property from them and possibility use it. The city talks a lot about economic development and right now we have a building; how can we declare it a nuisance when all the city knows is that the grass is high. It may be in great condition on the inside.

Mayor Infeld reviewed the process of working with the Land Bank. First declare the property a public nuisance so that it is eligible for demolition funding. Then if the demolition funding is awarded it goes through the Land Bank.

Mayor Infeld stated that all the Administration is asking from Council is permission to be able to request the demolition funding. But this cannot be done until the property is declared a public nuisance. Council can decide not to declare this a public nuisance and the City will continue as is but Mayor Infeld stated that she did not think that is a good use of the City's tax dollars in

cutting grass on a property that clearly the owner is not interested in.

Mr. Sims stated that he was glad that the City has this procedure because Councilman Ertel stated that is one of the gateways to University Heights and we want it as improved as possible. Mr. Sims said he was glad the city is cutting the grass so it doesn't become more of an eyesore. Mr. Sims asked what would happen if someone who was interest in the property were to surface is there a process that facilities redevelopment and higher economic use of the property because if the building comes down the site there would be a developable site. If the current owners are not going to do something with the parcel Mr. Sims stated he would like to see it come down.

Mrs. Pardee clarified that Council is just voting on declaring this property a public nuisance, Council would have to vote again to demolish the building.

Mr. Grogan stated that the City is not obligated to accept the funds.

Mayor Infeld noted to Mr. Sims comment that there have been persons who have approached the city about that corner but the city does not own it and have been unsuccessful in contacting the owner.

Mr. Ertel noted the land would be more developable if the building were taken down no matter who owns it.

Mr. Sims stated his only concern is if there is a suitable development or reuse of the property prior the process reaching its end that there would be an opportunity to consider it.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL approving Resolution 2015-23 declaring the Commercial structure located on the property at 2115 South Taylor Road to be a public nuisance and Declaring an Emergency. On roll call on suspension of rules, all voted "aye," except Ms. English who voted "nay," Roll call on passage, all voted "aye," except Ms. English and Mr. Wiseman who voted "nay."

G. Motion Authorizing the Mayor to request demolition funding from Cuyahoga County for the demolition of 3505 Tullamore Road (on emergency)

No discussion was held regarding this item.

MOTION BY MR. ERTEL, SECONDED BY MS. ENGLISH authorizing the Mayor to request demolition funding from Cuyahoga County for the demolition of 3505 Tullamore Road. On roll call on suspension of rules, all voted "aye," roll call on passage, all voted "aye."

Motion carried.

H. Motion Authorizing the Mayor to request demolition funding from Cuyahoga County for the demolition of 3901 Silsby Road (on emergency)

There was no discussion regarding this item.

MOTION BY MR. ERTEL, SECONDED BY MR. WISEMAN authorizing the Mayor to request demolition funding from Cuyahoga County for the demolition of 3901 Silsby Road. On roll call on suspension of rules, all voted "aye," roll call on passage, all voted "aye."

I. Motion Authorizing the Mayor to request demolition funding from Cuyahoga County for the demolition of 2115 South Taylor Road (on emergency)

Mayor Infeld noted that if the Administration finds that there are any issues that would preclude this item from moving forward the process will stop. Mayor Infeld assured that the city would make sure it has firm information for the County to confirm.

MOTION BY MR. SIMS, SECONDED BY MR. ERTEL authorizing the Mayor to request demolition funding from Cuyahoga County for the demolition of 2115 South Taylor Road. On roll call on suspension of rules, all voted "aye," except Ms. English and Mr. Wiseman who voted "nay." Roll call on passage, all voted "aye," except Ms. English and Mr. Wiseman who voted "nay."

Motion carried with the 4 to 2 vote.

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

Mayor Infeld stated the need to have an executive session for the purpose of discussing personnel matters regarding a union contract question.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to enter into Executive Session for the purpose of discussing personnel matters. On roll call, all voted "aye."

Directors' Reports

Finance Director Larry Heiser reported that he email Council the monthly reports and announced his new assistant Rasheema Hussein started last week.

There were no other director reports.

Standing Committee Reports:

Finance Committee: Mrs. Pardee stated that the last joint Finance Committee and Financial Advisory Committee for this Council year will occur on Wednesday, June 24 at 7pm. Mrs. Pardee also reported that will begin to write up the information that was received from residents at the three (3) Community Engagement meetings that were held for the community.

There were no other standing committee reports.

Council entered into executive session at 9:42pm


MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to reenter regular session. On roll call, all voted "aye."

There being no further business to discuss, the meeting was adjourned at 9:56pm.

MOTION BY MR. SIMS, SECONDED BY MR. WISEMAN to adjourn the meeting. On roll call, all voted "aye."



Susan K. Infeld, Mayor



Kelly M. Thomas, Clerk of Council