

**MINUTES COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
JUNE 16, 2014**

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

Roll Call:

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

Also Present: Law Director Anthony J. Coyne
Assistant Law Director James Budzik
Finance Director Larry Heiser
Police Chief Steve Hammett
Service Director Jeffrey Pokorny
Building Commissioner David Menn
Clerk of Council Kelly M. Thomas

Pledge of Allegiance

Minutes of the Regular Meeting of June 2, 2014

There were no corrections or additions to the June 2, 2014 minutes.

MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to approve the minutes of June 2, 2014 as presented. On roll call, all voted "aye."

Comments from Audience

Mrs. Muzis, 2573 Warrensville Center Road inquired about more details about the proposed new park in terms of the cost, if residents could get a rough draft/blue print, how many people will go to the park and who will construct the park. Mrs. Muzis stated if she wants to go to a park she could go to an adjacent city, the Fire Department is more of a priority.

Mayor Infeld informed everyone that there will be a Town Hall meeting on Tuesday, June 17 at 7pm in Council Chambers. This is so City Council can hear feedback about the proposed bond issue. Mayor Infeld stated that one of tonight's agenda item is the introduction of the Resolution which would pay for the construction of the proposed park located on the former Fuchs Mizrachi school property on Fenwick Road. The City has been talking about the property for over 2½ years. Initially the City held a Town Hall meeting with the community in early Spring 2012 to talk about the potential acquisition of the property and City Council agree to acquire the property. Mayor Infeld also stated that at that initial Town Hall meeting she stated her intentions, in that she thought the best use of the property would be the development of a public park and at that meeting the Mayor presented a PowerPoint presentation showing that out of the 59 communities in the County University Heights is the only one without a traditional park. Mayor Infeld also stated that she provided data that showed that property values of homes in the proximately of a park development, roughly half a mile, would increase in value. City Council agreed to purchase the property and to proceed with discussions to develop it as a park. At that point a citizen's committee was formed that met to first discuss the use and firm up the idea of wanting a public park at that site. Mayor Infeld then stated she hired an architectural firm to facility the process of drawing out ideas from the citizens of University Heights and out of that came several park concept plans. Mayor Infeld's proposal to Council was to propose to the voters a ballot issue to develop the park concept plan into a real park. The next step would be for City Council to determine whether to pass the Resolution proposing the \$1.8mil bond issue to the voters so that the voters can decide if they want a public park, are they willing to pay for a public park at that site. If the voters vote "yes" in November they would see no change in their current property taxes, the taxes would remain the same; if the voters want to get \$25 back on every \$100,000 home value they should vote "no" and then they would not get the park concept as presented.

Mayor Infeld explained that the pool and park at Purvis were paid with bonds that were issued 20

years ago. Those bonds raised property taxes \$25 on every \$100,000 of evaluation. The City is at the 20 year mark and those pool bonds will roll off the tax duplicate at the end of this year, December 2014. If the proposed park issue were to be voted on favorably by the voters there would be absolutely no change in their tax rate.

Mrs. Muzis asked about the total cost for the proposed park and if the City could get a grant for the park.

Mayor Infeld explained that the proposed bond issue is for \$1.8mil, so the cost is \$1.8mil and would be spread over 15 years.

Mrs. Patty Carlyle, 2520 Ashurst, Community Volunteer and Education Activist wanted to give voice to the residents of University Heights that use the public schools. 59% of the voters in Cleveland Heights and University Heights voted for the Issue 81. Using Wiley as the swing space will affect almost all the students all the way down to the rising second graders. Mrs. Carlyle stated the biggest problem for the schools is the perception of the schools. After paying for 3 years of private school tuition and property taxes Mrs. Carlyle's family decided to use the local walk able school. Canterbury has 30% of University Heights residents or 113 students out of 370 students. A lot of residents who use private schools still support public education. Mrs. Carlyle asked why the Wiley plan has had resistance and encouraged the City to move quickly through the public comment stage as well as have the various boards look at the assets and challenges. There are benefits to be made with the plan, with the increase of staff at Wiley from 100 to 400 brings \$200,000 per year in R.I.T.A. in income taxes. Mrs. Carlyle ended her comments saying, these are our kids, there's no they, there's just a we and encourage council to keep that in mind.

Mayor Infeld stated that the City just received the plans from the School District and noted that she wasn't aware of any resistance.

Ms. Debby Ghezzi, 2551 Ashurst Road encouraged the Council and the citizens of University Heights to work quickly and continually with the Cleveland Heights, whether it the Board of Education or the City of Cleveland Heights to move through the plans so everybody can stay to the timeline that the Board is on in terms of moving students to Wiley, constructing the new school, etc. So that everybody is where they need to be and that the displacement will be for as short a time as possible. As a long time resident of University Heights, Ms. Ghezzi stated that she thought having new schools will increase the property values, keep people in University Heights and cause people looking in the Heights area to choose University Heights.

Mayor's Comments

Mayor Infeld provided the following report:

- Thursday, June 19 at 6pm the School District is holding a reception in honor of the new Superintendent at Heights High School
- Thursday, June 19 at 6:30pm City Beautiful Commission meeting in the Conference Room of City Hall to discuss how to select the beautiful homes for next year
- Wednesday, June 25 @7pm at John Carroll University LSC Conference Room – Planning Commission meeting regarding School presentation for developing Wiley into a swing school for the high school and middle school
- Tuesday, July 1 at 7pm meeting (tentative) with David Hartt to discuss Planning and Zoning Code. Place to be determined
- City's recycling numbers are increasing
- Provided members of Council a report listing the vehicle inventories along with the prospective mileage from the various departments

Mayor Infeld also stated that at the Town Hall meeting, Tuesday, June 17 there will be a presentation by the architects who developed the design concept. Mayor Infeld noted to the community that there had been a series of emails going back and forth between the City Council, the Law Department, the Finance Director and herself about how the services of the architects were secured by the City. Mayor Infeld stated that the architects were hired by her, as the Mayor. When the City went through the process of deciding whether to purchase the property, what to do with the property, would it be turned into a park? Mayor Infeld further stated she needed to secure the services of people who could facilitate meetings with the community to draw out from community members their ideas about what a park should look like and also have the ability to produce drawings. Mayor Infeld stated Council is concerned that she did not have

the authority to hire the architect; at the time the architect was hired Mayor Infeld was under the impression that it was a go forward and an agreed concept by the City Council. Since that time Mayor Infeld stated she was made aware that the City Council is not entirely sure that the whole community is aware of the discussions to turn the property into a park and that is principally why there will be a Town Hall meeting and also to discuss the actual cost to develop the park. We want this to be an open public process, for residents to know how the concept was derived. There were approximately 100 people involved in developing the park concept plan and that the same number of people who were involved in process of designing the pool and park at Purvis.

Agenda Items:

A. Proclamation Honoring Sister Linda Martin, principal Gesu School

Mayor Infeld read and presented a Proclamation to Sister Linda Martin, Principal Gesu School, proclaiming Sister Linda Martin as a civic treasure and an exemplary citizen of University Heights.

Sister Linda thanked Mayor Infeld and City Council for their support as well as the Cleveland Heights and University Heights School District.

B. Certificate of Recognition to Gesu Girls Softball Team upon winning the CYO City Championship Tournament

Mayor Infeld read and presented Certificates of Recognition to the members of the Gesu Girls Softball Team as well as their coaches and the Gesu Athletic Director.

C. Resolution No. 2014-12 Resolution Determining to submit to the electors the question of issuing \$1,800,000 of bonds for the purpose of paying costs of improving the city's park and recreational facilities by constructing and equipping a public park area and related improvements (second reading and on emergency)

Mayor Infeld stated all historic information that led up to the design of the park's final concept plan and other information will be posted to the City's Website.

Councilman Wiseman stated that a lot of discussion occurred regarding the timing in which the legislation would have to be presented to the Board of Elections and according to Board of Election laws legislation has to be presented to the Board 90 days prior to the election. Councilman Wiseman noted that he spoke with Patricia Lewis at the Board of Elections who indicated that any Ordinance that the City has to the Board of Elections by the ninetieth day or August 6, then they (Board of Elections) will submit it Secretary of State, who in turn will arrange the language in ballot form and return it to the City. In lieu of this Councilman Wiseman stated there is no reason that this needs to be done before August 6, 2014.

Mr. Coyne stated he also spoke with Mr. Brett Lauer, Board of Elections and in terms of timing; if Resolution 2014-12 is passed there will still need to be another Council meeting date to approve passing the issue on the ballot. That approval is submitted to the Board of Elections for review and well as Resolution 2014-12. After which the Board of Elections would proof draft language for the ballot. Mr. Coyne recommended having the Board of Election, if they are willing to do so, pre-review the Resolution in case there may be any technical deficiency. It comes down to how far you want to push.

Councilwoman English asked Mr. Coyne what type of technical difficulty could arise.

Mr. Coyne replied if there would be anything in the wording of either Resolution that they would say needs to be clarified it would be hard to correct within the time constraints.

Vice Mayor Pardee thanked Mayor Infeld for hosting the Town Hall meeting that is scheduled for tomorrow (June 17th) Council has expressed its desire and intent to hear from the community. Council is interested in hearing specifics about the estimates that make up the park proposal, the actual numbers and to hear more about how the bond numbers were arrived at. Council also wants to hear what the greater University Heights community has to say.

Mr. Coyne if it is Council desire to wait to vote on this issue and then still wanted to place it on

the November ballot you would need to hold two (2) special meetings before August 6th. Mr. Coyne stated that the Resolution to place the issue on the ballot cannot be voted upon at the same meeting as the current Resolution 2014-12 that is being considered. So if this were tabled Council would need two (2) special meetings; and would need to pass this Resolution 2014-12 on emergency because of the timing.

Councilwoman Cameron asked Vice Mayor Pardee if there is an interest in having a Recreation Committee meeting in addition to the Town Hall meeting and prior to any necessary Special Council meetings to vote on this matter.

Vice Mayor Pardee stated that she would, but noted that Councilwoman Cameron is the Recreation Committee Chair and that it is up to her. Vice Mayor Pardee added that much hinges on the input from the Town Hall meeting.

Councilman Wiseman stated he was in favor of having Recreation Committee meeting, which has now been turned into a Town Hall meeting. But, also felt that there also needs to be a Recreation Committee meeting to delve into different questions that may not be brought up during the Town Hall meeting.

Councilwoman English commented that Council needs to slow the process down a little bit and was glad that the Town Hall meeting was scheduled for tomorrow (June 17th) because she has heard from several residents; asking about the bond issue, why it's been rushed, what is the money going to be used for and just wanting more information in general. Councilwoman English said with that in mind she was willing to attend a Recreation Committee meeting because she has a issue placing the levy on the ballot because she against taxing the residents even more. Councilwoman English stated she understood that the proposed levy replaces the current levy and the amount won't change, however, she felt that if the City is going to place that amount of money as a bond issue for recreation purposes Council should consider more than just the park and that hasn't really been done as a Council. The tennis courts are in disrepair and have been for years, this would be a good opportunity to get the tennis courts reconstructed. There is also the area on the western side of the city that is available for a small recreational site. All of those items should be talked about before rushing and doing this. Councilwoman stated she very interest in hearing what the residents have to say at the Town Hall meeting even though she not personally in favor of the levy, because a new park is not a priority, there are more important issues; city streets are one. If residents want a new park, Councilwoman English stated she is willing to vote to place the issue on the ballot and let the voters decide.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MS. ENGLISH to table Resolution 2014-12 and refer to the Recreation Committee. On roll call, all voted "aye."

Mr. Ertel commented that the Town Hall meeting is a very good idea. Making the Recreation Committee into a Town Hall meeting so that residents can hear how the park will be funded and all the other details that are involved.

D. Ordinance No. 2014-13 Concession Stand prices for 2014 Summer Season (second reading)

Mr. Heiser stated that Ordinance 2014-13 is in response to the verbal comment from the Audit that Council did not see the pricing for the concession stand items for the 2013 summer season.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MRS. CAMERON to approve Ordinance 2014-13, approving the prices of various snacks and drinks to be sold at the Purvis Park Pool. On roll call, all voted "aye."

E. Resolution No. 2014-14 Adopting The 2015 Tax Budget (second reading)

Mr. Heiser stated that this is the start of the 2015 budget cycle and this informs the County what the City expects and what the City needs for various property taxes. Schedule 1 shows the where the taxes are levied and where the monies go.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MRS. CAMERON to approve Ordinance 2014-15, approving the 2015 tax budget. On roll call, all voted "aye."

F. Motion to approve Service Department Agreement between the City of University Heights and the National Production Workers, Local 707

Mayor Infeld asked for a motion to enter into executive session to discuss the following matters; the Service Department Agreement, the sale of real estate and legal fees for potential litigation.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MR. ERTEL to enter into Executive Session for the purpose of discussing Service Department Agreement, the sale of real estate and legal fees for potential litigation . On roll call, all voted "aye."

Council entered into executive session at 8:20p.m. to solely discuss the Service Department Agreement, the sale of real estate and legal fees for potential litigation

MOTION BY MRS. ZUCKER, SECONDED BY MRS. CAMERON to come out of executive session and reconvene the regular City Council meeting to discuss agenda item F - Motion to approve Service Department Agreement between the City of University Heights and the National Production Workers, Local 707. On roll call, all voted "aye."

Regular Council meeting resumed at 9:50pm.

F. Motion to approve Service Department Agreement between the City of University Heights and the National Production Workers, Local 707

Mayor Infeld stated that the changes to the prior contract that were negotiated for a three (3) year contract moving forward with a start date of July 1, 2014. Mayor Infeld said what was negotiated was a rate increase of 1½% each year, glove allowance for every employee in an amount of \$50 per year, stipend for employees who hold a CDL license and need that as a condition of performing their job, the Union negotiated health care with a "need to clause" to wait to see how the other unions negotiate on that item.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MR. SIMS to approve Service Department Agreement between the City of University Heights and the National Production Workers, Local 707 as negotiated. On roll call, all voted "aye."

Mayor Infeld asked for a motion to add an item to the agenda to authorize the Mayor to negotiate the sale of City owned property.

MOTION BY MR. SIMS, SECONDED BY MS. ENGLISH to add motion to authorize the Mayor to negotiate the sale of City owned property to the agenda. On roll call, all voted "aye."

MOTION BY MRS. CAMERON, SECONDED BY MR. ERTEL to authorize the Mayor to negotiate the sale of City owned property. On roll call, all voted "aye."

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

Additional executive session not necessary.

Directors' Reports

Law Department: Mr. Coyne asked about the planning discussions with City Council, specifically regarding the role of the Board of Zoning Appeals and Planning Commission and the possible consolidation. Mr. Coyne stated that to do that would require certain logistics with all the Ordinances and asked if it was Council's desire for him to do a formal opinion on how to combine the Planning and Zoning Appeals as one option as suggested by Mr. David Hartt. This is a Charter issue and does appear that it might be done in that may not necessitate going to the electors, but at the same time Mr. Coyne wanted to know Council's desire.

Councilwoman English stated she thought that Mr. Coyne was going to research that stemming from one of the beginning meetings with Mr. Hartt when this was brought up.

Mr. Coyne stated that he did, but wanted to know if Council wanted a formal opinion regarding

that. The response was yes, Council wants a formal opinion regarding combining the Board of Zoning and Planning Commission with the pros and cons.

Service Department: Service Director Jeffrey Pokorny reported that the Perk Company who is working for Cuyahoga County on the South Belvoir resurfacing project will be moving into University Heights portion near Fairmount Blvd. on Friday, June 20. There will be a 30 day closer in the John Carroll section of South Belvoir to constructing the cross walk and traffic signals during the month of July. The road has to be reopened by the beginning of August. The Solid Waste 2013 Annual Report from the Cuyahoga Solid Waste Management District shows the City's recycling efforts are slowly increasing; it increased 1.75% in 2013 for a total of 37.49% for the year.

There were no other director reports.

Standing Committee Reports

Building Committee Chairman Steven Sims reported the quad annual meeting for Building Committee will be on Thursday, June 26 at 7pm.

Civic Information Committee Chairwoman Nancy English reported that the Technology Advisory Committee met on May 14th and that the minutes have been distributed. The committee members offered several suggestions for possible updates to the City's website per Mayor Infeld's request and those recommendations have been submitted to the Mayor for her consideration. The Commission also recommended that public Wi-Fi be provided in Council Chambers to allow Council members to receive their packet delivered electronically and use those electronic packets at their meetings to cut down on the cost of printing and delivery by the Police Department, that recommendation was also given to the Mayor. Councilwoman English also reported that Aurora Martinez who served as the library board representative on the Technology Advisory Committee resigned from the Technology Advisory Committee, a letter has been sent to the Cleveland Heights/University Heights Library Board for a replacement. The next Technology Advisory Committee Meeting will be a joint meeting with Civic Information on Wednesday, September 3 at 7pm in Council Chambers. The Library Board hopes to have a replacement by that time.

Finance Committee Chairwoman/Vice Mayor Susan Pardee reported that the Finance Committee met with the Financial Advisory Committee on Thursday, June 12 at 7pm in Council Chambers topics of discussion were; revenue and expenses, contracts, five (5) year capital plan, bond issues and were apprised of the audit results. Vice Mayor Pardee thank Mr. Heiser for his outstanding job in providing the committee with the initial needed material and then following up almost immediately to additional questions. The next meeting will be September 11 at 7pm.

Governmental Affairs Committee Chairman Mark Wiseman had no report except his desire to have the school plan prior to the Planning Commission meeting on June 25th. Mayor Infeld noted that the plans may change due to recommendations made by the City Administration and Planning Commission.

Recreation Committee Chairman Pamela Cameron reported that the Recreation Committee will yield its meeting to the city, for the purpose of holding a Town Hall meeting specific to the subject of financing the proposed public park, formerly known as Fuchs Mizarachi/Saybrook Park Property. The meeting will be held on June 17 in Council Chambers at 7pm.

Mayor Infeld reported that for the Town Hall meeting she will introduce Braun & Steidl, allow them to give a brief summary then turn the meeting over to Council.

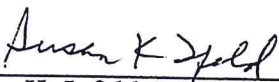
Safety Committee Chairman Phillip Ertel's committee met just prior to this meeting with the sole purpose of finding a way to increase participation in the auxiliary forces. Chief Hammett will put together verbiage for the Codified Ordinances and send it to Mr. Coyne to review prior to being presented to Council for approval.

Mr. Ertel also reported that the Cedar/Taylor Development Association is having a meeting to unveil the final results of its Streetscape Study and to discuss the next steps for implementation. The meeting will take place at the Melt Restaurant on June 23 at 8:30AM and will be opened to all merchants and residents of both Cleveland Heights and University Heights.


There were no other standing committee reports.

There being no further business to discuss, the meeting was adjourned at 10:11pm.

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



Susan K. Infeld, Mayor



Kelly M. Thomas, Clerk of Council