

MINUTES OF COUNCIL MEETING  
CITY OF UNIVERSITY HEIGHTS  
MAY 18, 2009

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

Roll Call: Present: Mrs. Adele H. Zucker  
Ms. Frankie B. Goldberg (not at roll call)  
Mr. Steven D. Bullock  
Mr. Kevin Patrick Murphy  
Mr. Frank Consolo  
Mr. Steven Sims

Absent: Mr. Peter R. Bernardo

Also Present: Clerk of Council Nancy E. English  
Law Director Kenneth Fisher  
Finance Director Arman R. Ochoa  
Deputy Chief of Police James Rohal  
Fire Chief John Pitchler  
Community Coordinator Walter Stinson  
Service Director Christopher Vild  
Building Commissioner David Menn  
City Engineer Joseph R. Ciuni

**MOTION BY MR. SIMS, SECONDED BY MR. CONSOLO to excuse the absence of Mr. Bernardo and Ms. Goldberg. On roll call, all voted “aye.”**

Minutes of the regular meeting held on May 4, 2009

There were no corrections or additions to the minutes of May 4, 2009.

**MOTION BY MR. BULLOCK, SECONDED BY MR. MURPHY to approve the minutes of the May 4, 2009 meeting. On roll call, all voted “aye.”**

Minutes of the special meeting held on May 11, 2009

There were no corrections or additions to the minutes of May 11, 2009.

**MOTION BY MR. SIMS, SECONDED BY MR. CONSOLO to approve the minutes of the May 11, 2009 meeting. On roll call, all voted “aye.”**

Comments from the Audience

Mary Ann Barnes, representing the Heights Chapter of the League of Women Voters, announced that the League of Women Voters Cuyahoga Area Education Fund, Inc. has published a new brochure, “Citizen Guide to Cuyahoga County Government - Past, Present, Future” which updates the League’s previous brochure, which was published in 1998. The new publication can be downloaded from the League’s Web site at [www.LWVCuyahogaArea.org](http://www.LWVCuyahogaArea.org).

Ms. Goldberg entered the meeting at 7:30 p.m.

Linda Johnson, 2604 Ashurst Road, commented that she is hopeful the issues have been resolved with respect to the property at 2603 Ashurst Road so that the City can move forward regarding the property. Ms. Johnson suggested that the City develop a strategic plan to deal with similar housing issues as they arise in order to maintain “a city of beautiful homes.”

Jeff Vanslette, 2600 Fenwick Road, suggested that a list of registered contractors, who are authorized to perform work in University Heights, be added to the City’s Web site and updated regularly. Building Commissioner David Menn stated that a list is maintained in the Building Department, which will be provided to Mr. Vanslette. Mr. Menn also stated that he will have the list posted on the Web site.

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

Mayor Rothschild reported that the City received a \$100,000 Community Development Block Grant from Cuyahoga County to assist with the Bushnell Road Water Main Project.

Agenda Items:

**A. Ordinance No. 2009-09 Accepting a Quit-Claim Deed from Catherine Harbourt (2<sup>nd</sup> Reading)**

Ordinance No. 2009-09, which was placed on first reading on March 2, 2009, accepts a Quit-Claim Deed from Catherine Harbourt for the property located at 2603 Ashurst Road (PPN 722-26-028). This property has been vacant for several years and is in deplorable condition.

Law Director Kenneth J. Fisher stated that he has received a check in the amount of \$5,000, made payable to the City of University Heights, from Catherine Harbourt for payment of special assessments to cover maintenance which the City performed at 2603 Ashurst Road. He noted that if Council approves the ordinance to accept the Quit-Claim Deed, the County Treasurer will be notified that the special assessment has been satisfied and the amount will be removed from the tax duplicate. Mr. Fisher reiterated that the large default judgment on the property has also been satisfied. He noted that an amount not to exceed \$1,400 in back taxes is remaining on the property, but he will attempt to get the delinquent taxes abated if they are not paid.

Mr. Fisher mentioned that the Building Commissioner and City Engineer entered the house and a large amount of debris was noticed, but the structure seemed to be sound enough to be rehabilitated. It was Mr. Fisher's opinion that Ordinance No. 2009-09 be approved and the \$5,000 accepted, and then a decision could be made about what to do with the house. He added that once the City takes title of the house, it can be secured, and an in-depth inspection can be made with respect to the structural integrity of the house. Mr. Sims requested that the matter relating to the property be handled as expeditiously as possible.

Mayor Rothschild inquired into the status of the \$1,400 still owed on the property. Mr. Fisher replied that he will try to get the back taxes abated. If not, the City would have to pay it. However, Mr. Fisher stated that he did secure \$5,000 for the City that had been delinquent for several years.

Mr. Sims agreed with Ms. Johnson's suggestion for a comprehensive approach and strategy to deal with the housing situation that will continue to be an ongoing concern due to the current economic conditions. Mr. Sims also noted that with regard to the condition of the property and the possibility of it being rehabed, research has indicated that there are no organizations which are in a position to rehab the house. Mayor Rothschild noted that there are several people rehabilitating houses in the city and then putting them back on the market. She added that because of the large amount of debris in the house, a definitive inspection could not be made regarding the structure, but once the house is cleaned out there will be a more detailed inspection. However, she added that the garage will have to be razed because it is not structurally sound. Mayor Rothschild recommended that the ordinance be passed at this meeting to accept the Quit-Claim Deed.

Mr. Bullock inquired as to the issue why the \$1,400 was not paid. Mr. Fisher was not aware of the specific issue, but he was fairly confident that something could be worked out regarding the amount owed in back taxes. Mr. Fisher added that he did his best in the negotiations, and he got back all the money owed to the City for special assessments.

Mayor Rothschild stated that everyone just wants to be sure that there are no hidden money factors which have not been revealed. Mr. Fisher stated that there are no hidden money factors as he has the title report which indicates that the property is free and clear except for \$1,400 in back taxes.

Since the \$5,000 check was not a certified check, Vice Mayor Zucker inquired if the ordinance could be approved based on the contingency that the check clears the bank. Mr. Fisher replied yes.

Mayor Rothschild explained a positive note for the general public that an \$8,000 tax credit is available to first time home buyers or the \$8,000 can be advanced for the down payment through certain agencies. She noted that all of the real estate agencies working in University Heights have been informed of this stimulus incentive.

Mr. Menn reported that he and City Engineer Joseph Ciuni toured the Ashurst house and found large amounts of debris such as paper and cardboard. He stated that the initial examination revealed that the house could be rehabilitated. The only structural problem they saw was the garage. Mr. Menn stated that after the house is cleaned out, they can go back in and inspect to determine the structural integrity.

Mr. Fisher commented about the County's new Landbanking Program which will effectuate more expeditious redevelopment of foreclosed properties. Mr. Menn announced that he completed the first stage of an application for a \$500,000 Neighborhood Stabilization Grant. The full application should be received in early June.

**MOTION BY MR. CONSOLO, SECONDED BY MR. MURPHY to approve the passage of Ordinance No. 2009-09 as an emergency measure. On roll call, on suspension of rules, all voted "aye." On roll call, on passage, all voted "aye."**

**B. Ordinance No. 2009-22 Amending Section 1244.05 (a) of the Codified Ordinances by amending the filing fee for Board of Zoning Appeals applications (2<sup>nd</sup> Reading)**

Ordinance No. 2009-22, which was placed on first reading on May 4, 2009, amends Section 1244.05 of the Codified Ordinances by amending the filing fee of the Board of Zoning Appeals applications from \$40 to \$50.

**MOTION BY MR. CONSOLO, SECONDED BY MR. MURPHY to approve the passage of Ordinance No. 2009-22. On roll call, all voted "aye."**

**C. Ordinance No. 2009-23 Amending Section 1422.05 of the Codified Ordinances by amending the amount of contractor registration fees (2<sup>nd</sup> Reading)**

Ordinance No. 2009-23, which was placed on first reading on May 4, 2009, amends Section 1422.05 of the Codified Ordinances by amending the amount of the contractor registration fees from \$75 to \$100 for the initial inspection, for commencing work without a permit, and for annual renewal.

**MOTION BY MR. BULLOCK, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2009-23. On roll call, all voted "aye."**

**D. Ordinance No. 2009-24 Amending Section 1424.08 of the Codified Ordinances by amending the amount of the reinspection fee (2<sup>nd</sup> Reading)**

Ordinance No. 2009-24, which was placed on first reading on May 4, 2009, amends Section 1424.08 of the Codified Ordinances by amending the amount of the reinspection fees from \$20 to \$100 after the second failed inspection.

**MOTION BY MR. BULLOCK, SECONDED BY MS. GOLDBERG to approve the passage of Ordinance No. 2009-24. On roll call, all voted "aye."**

**E. Ordinance No. 2009-25 Amending Section 1424.09 of the Codified Ordinances by amending the amount of fees for point of sale inspections and roomer inspections (2<sup>nd</sup> Reading)**

Ordinance No. 2009-25, which was placed on first reading on May 4, 2009, amends Section 1424.09(a)(1) of the Codified Ordinances by amending the amount of the fees for point of sale inspections from \$75 to \$100 for a single-family home, from \$125 to \$150 for a two-family home, and from \$150 to \$175 for a three-family home. The ordinance also amends 1424.09(d) of the Codified Ordinances by amending the fee for initial roomer permit inspections and renewals from \$75 to \$300 for a single-family home, from \$125 to \$400 for a two-family home, and from \$150 for a three-family home to \$100 for a third floor rental unit.

**MOTION BY MS. GOLDBERG, SECONDED BY MR. SIMS to approve the passage of Ordinance No. 2009-25. On roll call, all voted "aye."**

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

An executive session was not required.

Directors' Reports:

**Finance Director** Arman R. Ochoa requested a Finance Committee meeting to discuss the 2010 Tax Budget, special assessment renewals, and the status of the 2009 Budget.

**Law Director** Kenneth J. Fisher reported that he will be attending the Charter Review Commission's public hearing on Tuesday, May 19, 2009.

**Service Director** Christopher Vild reported that the Ohio Department of Transportation has accepted the bid from Cargill Company for rock salt for 2009-2010 in the amount of \$43.53 per ton.

Mayor Rothschild reported that Councilwoman Marcia Fudge has announced that additional funds will be made available in the fall for transportation related items.

**Building Commissioner** David Menn reported that discussions with rehab contractors and realtors indicate that people do want to move into University Heights. He gave an example of a rehab contractor who purchased a house for \$80,000 put \$40,000 into the property and sold it for \$170,000 in five (5) days. Mr. Menn added that professionals from Cleveland Clinic and University Hospital find University Heights a desirable place to live.

Mayor Rothschild stated that she provided the Council with a list of recent home sales. The sales, which have been tracked for 30 years, have been following the same pattern, the majority of the people purchasing homes in University Heights are professional people.

Mr. Sims commended the Building Commissioner and Service Director for doing a good job with respect to maintaining the curb appeal of the community, and he encouraged them to continue to be assertive in maintaining vacant property. Mr. Menn appreciated Mr. Sims' support and stated that 200 grass notices have been issued this month. He added that after 3 days, if the grass is not cut, it is abated. Mr. Sims suggested that banks and realtors be notified of the City's policy of abatement if the properties are not maintained. Mr. Menn replied that banks and realtors are being notified.

Committee Reports:

**Civic Information Committee** Chairman Frank Consolo reported that pursuant to Ordinance No. 2009-27, the Charter Review Commission's Draft Report has been made available to the public. He thanked Clerk of Council Nancy English for doing a great job. Mr. Consolo announced that CityWatch notifications have begun to go out regarding the May 19, 2009 and June 2, 2009 public hearings and the availability of the Draft Report, which will be also be available at the Memorial Day Parade. Mayor Rothschild inquired when the other announcements will be made on CityWatch. Ms. English replied that the calls will be made on May 21 and 28, 2009. Mr. Consolo requested that the CityWatch notices include cell phones. Mayor Rothschild and Vice Mayor Zucker noted that a few calls went to Beachwood and Cleveland Heights residents, respectively. Chief Pitchler stated that he has been working with CityWatch to take the streets outside of University Heights off the call table. He added that individual numbers can be removed as well.

**Recreation Committee** Chairman Frankie B. Goldberg reported that John Carroll University is once again making its recreation facilities available to University Heights residents during the summer from May 23 through August 23, 2009 under a summer membership. The membership fees are \$110 for individual, \$165 for individual and spouse, and \$225 for a family membership. The University will hold an open house on Saturday, May 23, 2009 from noon to 5:00 pm.

Mayor Rothschild announced that recreations passes are now on sale at City Hall.

**Safety Committee** Chairman Steven D. Bullock reported that he intends to hold a Safety Committee meeting in June to discuss the protocol for the CityWatch communication system.

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

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Mayor Beryl E. Rothschild

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Nancy E. English, Clerk of Council