

**MINUTES COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
MAY 18, 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
Mr. Phillip Ertel
Ms. Pamela Cameron

Absent: Ms. Nancy E. English
Mr. Steven Sims

Also Present: Law Director Luke McConville
Finance Director Larry Heiser
Police Chief Steve Hammett
Building Commissioner Eric Tuck-Macalla
Engineer Joseph Ciuni
Fire Chief Douglas Zook
Service Director Jeffrey Pokorny
Clerk of Council Kelly M. Thomas

MOTION BY MRS. ZUCKER, SECONDED BY MRS. CAMERON to excuse the absence of Mr. Sims and Ms. English. On roll call, all voted "aye."

Pledge of Allegiance

Approval of Minutes from Council Meeting May 4, 2015

On page 5 under Director's Reports, paragraph 5 Mr. Wiseman corrected his comment to read "that on one occasion"

There were no other corrections or amendments to the May 4, 2015 minutes.

MOTION BY MR. ERTEL, SECONDED BY MRS. ZUCKER to approve the minutes of May 4, 2015 as corrected. On roll call, all voted "aye."

Comments from Audience

Mr. Darren Carter, 2403 Ashurst Road provided an update on the City's "All Geared Up" family bike event. Mr. Carter stated the event went very well and a great time was had by everyone. It was hoped to have 120 participants and there were 117 registered participants and 91 came out even though it was a rainy day. Most of the participants were University Heights residents, South Euclid, Cleveland and others were from as far as Berea. There were 30 to 35 bikes donated from the community for sell and they sold for pennies on the dollar and by the end of the day all but a few were gone. There were various community partners in this venture; City of University Heights, City of Cleveland Heights, Cleveland Heights/University Heights School District, Canterbury Staff and PTA, First Baptist Church of Greater Cleveland. Sponsorships by Whole Foods, Zagara's Marketplace, Cleveland Dads Group, Buckeye Health Plan, Heights Bike Coalition, tee shirts and water bottle printing were done by Imagemart, darrenwcarter.com, hannathegreat.com, Councilwoman Cameron, and others as well as special guest. The team for this event included: a host of PTA family, friends and volunteers; Councilwoman Pam Cameron; Councilwoman Nancy English, Cleveland Heights Councilwoman Mary Dunbar, Julie Lustic staff member Canterbury, Michelle Taurus Canterbury PTA Liaison, Erica Wigton Canterbury Principal, Darren Carter and others.

Mayor's Report to Community

- The City Newsletter is out to the community. Mayor Infeld read some of the highlights including information about; Memorial Day Parade, road construction projects, gas line replacement on Cedar Road. Purvis Pool will be opened for pre-season during Memorial Day Weekend.
- The City of Cleveland Heights is reviewing their Water Department and how it is being run so that they can look at other options going forward. They (Cleveland Heights) may be signing a letter of intent with Aqua; who is offering a public/private partnership for the management of the waterlines and the infrastructure. Cleveland Heights is holding a public meeting on May 26 at 7pm at the Cleveland Heights Community Center to explain the letter of intent.

The 700 University Heights customers who are in the Cleveland Heights Water District will see a rate structure that has been approved by the Cleveland Heights City Council in five (5) year increments of time. But complete details have not been finalized yet. Cleveland Heights will still maintain ownership of the infrastructure unless Aqua makes improvements on the waterline. Cleveland Heights will still operate and manage the waterlines.

Agenda Items:**A. Motion Authorizing the Mayor to seek bids for Park Construction**

Mayor Infeld explained that the City has continued to work with architects, landscape architects and engineers to fine tune and refine the general park design concept that was approved by the University Heights voters. Mayor Infeld noted that the concept plan is not completely finalized but if Council approves this item the Administration will be able to advertise for bids to construct the park as soon as the concept plan is finalized.

Mr. Wiseman asked if this would allow the Administration to get bids for the different areas of the park that need to be constructed and if Braun & Steidl are the general contractors for the project.

Mayor Infeld clarified that there would not be separate bids and that there will be one construction company to construct the park. Mayor Infeld explained that Braun & Steidl are the architects that are working with the landscape architects and engineer. The architects design the various structures such as; gazebo, picnic pavilions, pathways. The landscape architects design the plantings, wetlands/water run-off areas, storm water retention areas, etc. The engineers work on the underground lines. The project will involve a team of people working on their specific functions.

Mr. Wiseman asked if it would be more cost effective to divide the job up into different large parts rather than bidding the entire job out to one contractor. Having one contractor can limit the field to someone who has put a park together so their bid gives them a lot of margin for them to make money on the little contractor as opposed to the City bidding it out in different chunks.

Mr. Ciuni replied that he didn't agree with Mr. Wiseman; this project is for all the same type of work, it is a park. If it were completely separate items maybe you could break it up into different parts. Mr. Ciuni added that he didn't see this project in having separate parts/items, it is all park related.

Mr. Wiseman asked Mr. Ciuni if that meant that there wouldn't be a lot of sub contractors on this project and that the one contractor who is awarded the contract would be doing the lion share of the work.

Mr. Ciuni responded yes; there maybe a few subcontractors but the contractor that is awarded the bid will do most of the work.

Mr. Wiseman clarified that Council would be able to see all the received bids and all the information that goes out for the bids.

Mayor Infeld stated that the bid process will be handled in the same way as in the past. The bid specifications will be developed by Mr. Ciuni and Mr. Pokorny and will be opened by Mr. Ciuni, Mr. Pokorny and the Clerk of Council after which the bid information and recommendation for awarding will be presented to Council for approval.

Mr. Ciuni added that the Administration will rely on Braun & Steidl's recommendation because they developed the plan and specifications to aid in making the final recommendation and noted that City Council will see all of the received bids.

MOTION BY MR. ERTEL, SECONDED BY MRS. PARDEE authorizing the Mayor to seek bids for Park Construction. On roll call, all voted "aye."

B. 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.

Mayor Infeld stated that entering into agreement (MOU) with the Cuyahoga County Planning Commission is a requirement of the County Planning Commission when they work with Municipalities. Mayor Infeld added that the development of this Master Plan is being paid for with grant funding that the City received from the County Department of Development and that the funding required that the City have its Master Plan done by the County Planning Commission.

Mrs. Pardee stated that in 2010 Council heard from three (3) different Planners; Kevin O'Brien of Cleveland State, the previous County Planning Commission Director and David Hartt about master planning. Mrs. Pardee congratulated Mayor Infeld on achieving this.

MOTION BY MRS. PARDEE, SECONDED BY MRS. ZUCKER 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.

Mayor Infeld asked if there were any further questions or discussion.

Mr. Ertel questioned how the survey would be distributed to the residents and noted his concern that not every resident would have the opportunity to have input if it is delivered in the same manner as the city's bulletin (garbage gazette) is. Mr. Ertel asked if there would be a large cost if the survey were to be delivered by mail.

Mayor Infeld replied that she is currently in the process of determining the best way to distribute the survey. But, if the survey were to be mailed to the community the City would pay for the cost of the postage and the cost of the return postage. The survey will be several pages folded and the County provided her with an estimated cost of \$33,000; this figure was based on another City's recent plan along with the number of households in University Heights.

Mayor Infeld noted she understood Mr. Ertel's concern and added that it would not be distributed in the same way as the garbage gazette. The intention is for it to be hand delivered to every household in the City and then conduct "spot checks" similar to the way census workers do in hitting different neighborhoods. There will also be several drop locations, one of which will be the pool.

Mayor Infeld cited the importance of surveying the entire community because the Master Plan will be good for the next ten (10) years.

Mrs. Pardee stated that she too was also very concerned about the delivery of the survey and conducted some cost estimates as well. Mrs. Pardee noted that per the agreement the City is responsible for printing to 4,900 households, if the survey is a twelve (12) page document and is printed double-sided then it would have about the cost of a first class stamp, maybe a little over. And if bulk mail is used the cost would be about \$1,000 for the 4,900 household.

Mayor Infeld asked Council to consider the item at hand; a motion authorizing the Mayor to enter into the MOU and then Council could move on to the next agenda item and discuss the survey.

Mr. Ertel replied that the MOU is very detailed; it talks about the survey, development, etc. and stated that he wanted to make sure that his questions regarding the MOU and survey are answered. Mr. Ertel asked if Council would have input in the development of the survey.

Mayor Infeld stated that currently it is too early in the process and that she had spoken with the County Planning Commission about the process. The Mayor stated that the process is as

described in the MOU and that a timeline was also provided. Mayor Infeld added that she had not seen the survey questions but saw the survey from another community. There has been only one (1) cursory meeting and not enough information is known about the level of input that will go into the survey.

Mr. Ertel stated that the MOU noted City staff in the consulting in the development of the survey. Mr. Ertel asked if Council would be considered City staff.

Mayor Infeld replied that the County Planning Commission asked her to put together a steering committee that would be similar to the steering committee that was put together for the NOACA project. The County Planning Commission recommended that the steering committee consist of residents and asked for the composition of the NOACA steering committee. The Mayor added that when she explained that the NOACA steering committee was comprised of citizens that were members of the Board of Zoning Appeals, Planning Commission and Architectural Review Board the County Planning Commission responded yes, that that was the type of resident they would like to have involved because those residents would have some understanding of City Planning issues. Mayor Infeld reviewed the depth of the few conversations she's had with the County Planning Commission; need for a steering committee, start thinking of timeline from start (steering committee – not fully put together at this point) to finish, survey. The Planning Commission stated that as part of the process they want to work with the steering committee and city staff on developing the survey questions. Mayor Infeld noted that she had not provided the County Planning Commission with any feedback on that. So in answering Mr. Ertel's question, Mayor Infeld stated she couldn't answer it because she had not specifically asked that question yet, all she has done is see if the survey could be done at a cheaper cost.

Lastly, Mayor Infeld stated that in regards to the grant money that the City received, the County Planning Commission process is for them to do the Master Plan by working with the steering committee, have a couple of (public) meetings and then separately have meetings with City Council. The County Planning Commission did not say that the Council would be involved in the survey design, nor did Mayor Infeld ask that question.

Mr. Wiseman stated that he personally would like to see a member of Council on the steering committee and that is why a MOU is looked at; the contracting party of who's permission is needed, can go back and say they would like this, this and this. Mr. Wiseman added that he could not imagine that the Department of Development would forbid a member of Council and personally this is very important to the City. Mr. Wiseman again stated he thought that Council should have someone on the steering committee because they have ideas and can give input. Mr. Wiseman stated that Council has every right to be present for those things and suggested that Council offer that issue to the County in that way or have the Department of Development advise the city in writing that this is something they forbid.

Mayor Infeld replied that the County Planning Commission stated that is not the way they construct surveys; the Council involvement is different than the citizen involvement and noted that this is different from the NOACA steering committee. But, just like with the NOACA project, which was grant funded, Mayor Infeld took their (NOACA) recommendations for involvement.

Mr. Wiseman stated the only way to make sure that Council is deeply involved and understands every step of the process is to have representatives on the steering committee. Mr. Wiseman added that that is what he would recommend.

Mayor Infeld replied that when Council authorized her to submit the grant to the County Planning Commission, Council also authorized her to accept the grant money if the City received it. The grant money stipulated that the City works with the County Planning Commission. Mayor Infeld stated that she could talk to the County Planning Commission and say that the Council would like to revise the MOU. So, if the Council wants to revise the MOU Mayor Infeld suggested that they talk to the Law Director and then she will tell the County Planning Commission that the City is not yet ready to begin. Mayor Infeld stated that she did not know if that will place the project in jeopardy because the Planning Commission has a timeline that they asked the City to abide by and in the MOU a lot of description is in attachment "a" about how the plan would be done. Mayor Infeld explained that the steering committee would simply be somewhat of a brainstorming session, there will be additional brainstorming sessions for visioning and all of that information will come before Council because Council has to approve the master plan. Mayor Infeld voiced her concern about changing the way the County Planning Commission does their master planning once the grant has already been accepted.

Mr. Wiseman remarked that he wasn't suggesting any such thing and that as he looked at the document the word "Council" appears exactly once, after it says final master plan. And, as the elected representatives of the City, Council should have a seat on the steering committee and not be asked to look at the Master Plan when it is done and be told to give a up or down vote. Mr. Wiseman stated he didn't think that takes in account the ideas, knowledge or the interest of Council and his thought is to insist on having someone on the steering committee from Council.

Mayor Infeld stated that it was clear that there can't be a vote on this item if Council wants to change the MOU. Mayor Infeld said she would have to go back to the County Planning Commission and talk to them about changing the MOU in a fashion that is acceptable to this Council.

Mrs. Cameron commented that on the front page of the MOU it states the "Objective – the CCPC and University Heights shall endeavor to work together to develop and establish processes, roles, responsibilities, tasks and deliverables that will result in the development of a comprehensive Master Plan for the City of University Heights." Mrs. Cameron stated that it did not appear that they (County Planning Commission) would exclusively exclude a change and in fact the MOU says "they (County Planning Commission) would rather an agreement between the parties to work together in such a manner that would promote the genuine atmosphere of the collaboration and partnership." Mrs. Cameron added, in fact it appears the County Planning Commission agrees to consider an amendment to this process so that a mutual satisfactory arrangement that would be more conducive to what Council wants in the final results.

Mayor Infeld asked what needs to be placed in the MOU to satisfy Council that they will be involved in the process.

Mr. Ertel suggested that two members of Council be on the steering committee.

Mrs. Pardee withdrew her motion and Mrs. Zucker withdrew her second.

MOTION BY MRS. PARDEE, SECONDED BY MRS. ZUCKER to table 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. On roll call, all voted "aye."

Mrs. Pardee asked who was on the project team (from the city perspective) and where the survey was in regards to the timeline. Mrs. Pardee added that from the way the MOU sounds the project team would be a combined group.

Mayor Infeld stated she could not answer Mrs. Pardee's question, but she did know that there is a nine (9) month planning period and that the County Department of Development has issued additional funding specifically for Master Planning with the County Planning Commission doing the Master Plans. Mayor Infeld noted that the County Planning Commission was a little worried about getting behind schedule before they get more Master Planning projects in the queue. Currently the County is working with four (4) cities that received grant funding and University Heights is actually the fourth city. The only name on the project team that Mayor Infeld could recall was Jim Sonnhalter.

Given the discussion Mayor Infeld thought it would be prudent to ask for a motion to remove item "C" motion authorizing the Mayor to enter into an agreement with the Cuyahoga County Planning Commission to Provide Professional Planning Services for a community survey because until it is determined that the City actually wants to utilize the grant funds to do the Master Plan it is premature to discuss a survey.

C. 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.

MOTION BY MR. ERTEL, SECONDED BY MR. WISEMAN to table 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. On roll call, all voted "aye."

D. Resolution 2015-18 Authorizing the Mayor to Participate in a Consortium to obtain bids for Solid Waste Transfer and Disposal Services (on emergency)

Mayor Infeld explained that Resolution 2015-17 is on emergency because the City was given a timeline by the County Solid Waste District in which to pass legislation and there isn't enough time to allow for the customary two (2) readings and thirty (30) days.

Mayor Infeld added that the city has participated in the County Solid Waste District services for land filled services. If the bid pricing is not favorable to the city we can choose to go elsewhere.

Mr. Wiseman asked how the city currently disposes of its waste.

Mayor Infeld replied that currently the city uses the City of Cleveland Heights, but in past the city has been part of a consortium of cities that bid out the landfilled fees. When the last contract was expiring the city talked with Cleveland Heights and found they could accept the city's rubbish and transport it to their transfer station at a cheaper fee. Mayor Infeld added that it is now time to consider whether to continue with Cleveland Heights or go with a consortium. Bids/cost will be needed from both the consortium and separately Cleveland Heights in order to make a comparison.

Mr. Wiseman clarified that this is just to get prices and that the city would still be with Cleveland Heights at this point.

MOTION BY MRS. CAMERON, SECONDED BY MR. WISEMAN approving Resolution 2015-18 Authorizing the Mayor to Participate in a Consortium to obtain bids for Solid Waste Transfer and Disposal Services. Roll call on suspension of rules, all voted "aye," roll call on passage, all voted "aye."

E. Resolution 2015-17 Authorizing the Mayor to Participate in a Consortium to request proposals for Recycling Processing Services (on emergency)

Mayor Infeld explained that the current recyclables are being managed through the County Solid Waste District at the Kimble facility in Twinsburg, Ohio. The current contract is expiring so the Administration is requesting permission to go out for bids to see what pricing the Solid Waste District and other consortiums of other cities has to offer.

MOTION BY MR. ERTEL, SECONDED BY MR. WISEMAN approving Resolution 2015-17 Authorizing the Mayor to Participate in a Consortium to request proposals for Recycling Processing Services. On roll call on suspension of rules, all voted "aye," roll call on passage, all voted "aye."

F. 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 first reading)

Mr. McConville stated that he had been in conversation with Clear Wireless who is asking to replace antennas on the monopole tower. Mr. McConville added that it was his understanding that Clear Wireless will be submitting their plans to the building department for review.

Mr. Ertel asked if this would be a new lease and fee with this request.

Mayor Infeld replied that there is an existing lease on the tower with Clear Wireless, the lease has renewal clauses and this would be the first of the renewals so the lease amount would be the same.

Mr. Wiseman asked how much does the City receive from the Clear Wireless lease in fees.

Mayor Infeld and Mr. Heiser will provide Council with the figures at the next Council meetings.

Ordinance 2015-19 was placed on first reading.

G. Resolution 2015-20 Authorizing the Mayor to renew the Agreement Between the City of University Heights and Cuyahoga County for Anti-poaching Protocol. (on emergency)

Mayor Infeld noted that this is the same anti-poaching protocol that the City had previously signed was under the previous County Executive Edward Fitzgerald and the current County Executive Armond Budish would like to continue the agreement. The only change is to reflect the new County Executive name Armond Budish on the agreement.

Mrs. Cameron asked if this was for commercial entities.

Mayor Infeld responded yes and explained briefing that if a business moves out of a community because it was incentivized in some way by another community then that community would pay a penalty according to the contract.

Mr. Wiseman quoted section pertaining to Protocol in the Event a Business Indicates that it is considering a Re-Location where it says it applies to businesses with 25 or more full-time employees and asked if there were many businesses in University Heights that fit that.

Mayor Infeld responded yes, citing a few such as Macy's, Target, Whole Foods, Heninen's, CVS, etc.

Mr. Wiseman stated it wonderful that the County is doing this and that he wanted to make sure that it benefits the City.

Mrs. Cameron asked who would be responsible for enacting the violations.

Mayor Infeld stated that she believed that if the City were to become aware of the fact that a business was incentivize to leave the community that it would be approaching the community first and then the County for its share of the revenue as discussed in the contract.

Mr. McConville stated that as a practical matter the agreement might; depending on the facts and circumstances be difficult to enforce. The idea behind the protocol was that economic development not be looked at as being targeting particular businesses in other communities and getting them to leave to join another community by providing tax or other incentives, allowing development to be more organic. This is customary County-wide and there are very few municipalities who haven't adopted it.

Mayor Infeld added it for best practices for economic development in the County.

MOTION BY MRS. CAMERON, SECONDED BY MR. ERTEL approving Resolution 2015-17 Authorizing the Mayor to Renew the Agreement Between the City of University Heights and Cuyahoga County for Anti-poaching Protocol. On roll call on suspension of rules, all voted "aye," roll call on passage, all voted "aye."

H. Motion Authorizing the Mayor to enter into a contract with LifeForce for Ambulance Billing.

Mayor Infeld stated that Fire Chief Zook was able to negotiate a better rate for the City from the previous 8% fee on collections down to 7% fee on collections.

Mr. Wiseman asked if LifeForce purpose is to seek payment from persons who use the City's ambulance service and don't have medical insurance.

Mr. Heiser collect from persons who have insurance or Medicare, Medicaid.

Mayor Infeld added that the City began billing for ambulance service is because many of the insurance companies pay for transport.

MOTION BY MR. WISEMAN, SECONDED BY MR. ERTEL authorizing the Mayor to enter into a contract with LifeForce for Ambulance Billing. On roll call, all voted "aye."

I. Motion to Declare the property located at 2547 Ashurst Road, parcel #722-25-021 a nuisance and Declaring an Emergency

Mayor Infeld stated that this item could be removed from the agenda because the issue has been taken care of.

MOTION BY MR. WISEMAN, SECONDED BY MR. ERTEL to remove this item from the agenda. On roll call, all voted "aye."

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

There was no need to hold executive session.

Directors' Reports

Finance Director Larry Heiser reported that the auditors are holding their exit audit on May 28, 2015 anytime between 8am – 5pm. Mr. Heiser noted that this will not be a public meeting as the auditors are calling for the meeting and not the city.

Law Director Luke McConville provided as a matter of public record an update on the University Square litigation. The defendants had filed a motion to have the case dismissed on the bases that the plaintiffs (city and the trustee board) lack a standing. Mr. McConville stated that both the City and the Trustees opposed that motion and last week the motion to dismiss was denied. The case is now proceeding with discovery.

Police Department Chief Hammett stated that he attended a grant seminar that was hosted by Senator Sherrod Brown's office. Regarding body cams Chief Hammett informed everyone that there are about \$20 million available to be divided amongst 17,986 law enforcement agencies throughout the Country. Only \$2 million of that will be allocated for agencies under 250 or 17,976 agencies, the other \$18 million will go to the larger agencies. The chances of University Heights receiving a grant are about 0% for an agency of our size, with our statistics and our financial status. Chief Hammett added that the only grant that they are looking into at this point is the Edward Byrne Memorial Justice Assistance Grant (JAG Law Enforcement) which closes in June 2015.

Chief Hammett stated in response to the traffic concerns Mr. Wiseman stated at the previous Council meeting that it has been about five (5) years since a traffic survey been conducted and that he is placing a traffic counter at the Milton and Baintree to monitor speed, density of traffic, etc.

Mayor Infeld added that this will be done to see if more stop signs are warranted in that area.

Fire Department: Chief Zook reported that street hydrant maintenance project is completed and that the Department will next be conducting the annual pressure testing of all the fire hoses. Chief Zook also reported that several retirements are on the horizon so he will be conversation with the Civil Service to conduct a Firefighter/Paramedic entrance exam.

Mayor Infeld added that the City does wide advertising when entrance testing is done for both the Police and Fire Departments.

There were no other director reports.

Standing Committee Reports:

Finance Committee: Mrs. Pardee stated that there will be a Community Engagement meeting before the next Council meeting on Monday, June 1st at 6:30pm. The Finance Committee and Financial Advisory Committee will hold their last joint meeting for this Council year on Wednesday, June 24 at 7pm.

Governmental Affairs: Mr. Wiseman noted that last year when Council adopted the street resurfacing program Allison Road was skipped over until this year due to a resident indicating that he had health problems and having road work being done would present problems for him. Mr. Wiseman stated that he has been working with the resident since the beginning of the year; trying to make sure that University Heights coordinates with Cleveland Heights, who is repaving Nordway, so that the resident would have time to move out of his home. The resident estimated that he would need to be out of his house about one month or so; even though the paving will only take a couple of days because he has problems if the smell and flumes are still there. Mr. Wiseman noted that there are signs on Allison Road that say the paving will begin in the next couple of weeks and stated that this resident was hoping for a date at the end of summer, he hasn't picked a specific date yet but Mr. Wiseman was asking if the City could push the repaving date to a mutually convenient time and coordinate with Cleveland Heights so that the resident has ample time to vacate his house or at least to plan. Mr. Wiseman noted as the job is slated now, it will either happen next week or the week after that, which is not enough time. Mr. Wiseman stated that he had spoken with the Cleveland Heights Engineer and that they (Cleveland Heights) would only need one (1) day lead time from University Heights and then they would coordinate and do the paving at the same time. Mr. Wiseman asked if the City might be able to work with Cleveland Heights and with the resident to pick a date so that he would have time to move out of his house.

Mayor Infeld replied that Mr. Ciuni contacted her over the weekend, stating that Mr. Wiseman had contacted him with a request from the resident, Mr. Zucker to delay the paving so that he

could have enough time to move. Mayor Infeld commented that she phoned Mr. Zucker and left him a message with both her home phone number and City Hall phone number as well as her email address so that Mr. Zucker to inform her of his needs. Mayor Infeld stated she was concerned about the City incurring a cost, if the City asks the road contractor (Chagrin Valley Paving) to remobilize there is likely to be a fee to the City to delay the paving. Mayor Infeld added that she had not heard from Mr. Zucker and did not have the information yet as to if there would be a cost to the City. The Mayor stated that she needs to know Mr. Zucker's needs as well as the cost to the City if the order of the paving is changed.

Mr. Wiseman offered to transmit Mr. Zucker's needs to Mayor Infeld because he spoke with him and has been working Mr. Zucker for the last couple of months. Mr. Wiseman stated that Mr. Zucker needs about a three weeks or 1 month to pick a date and then about a month after the paving is done. Mr. Wiseman continued to state that what Mr. Zucker is asking for is just for the City to put it off, it's scheduled for the next couple of weeks and to coordinate with Cleveland Heights, his (Mr. Zucker's) house is on the corner of Nordway and Allison Road. If University Heights can coordinate with Cleveland Heights and both cities pave during the same day or week at least Mr. Zucker would only have to deal with one set of smells and go away from his home for a couple of months. Mr. Wiseman asked Mr. Ciuni if Chagrin Valley had mobilized yet.

Mayor Infeld thanked Mr. Wiseman for bringing this to her attention and stated she would follow up with the resident to see what can be done.

Mr. Wiseman commented that Mr. Zucker came to Council with his concern after having been rebuffed by the Administration last year, so Mr. Wiseman thought Mr. Zucker would prefer to deal with a member of Council. Mr. Wiseman added that he did not think that was a problem and stated that from what he was seeing; Mr. Zucker's request was reasonable.

Mayor Infeld stated that Council approved the contract and that it was her job as Mayor to manage the contract. And, as she previously said she appreciated Mr. Wiseman bringing it to her attention and that she will talk to Mr. Zucker and see what can be done. Mayor Infeld stated that she needs to speak with Mr. Zucker directly and will the best she can to accommodate him if possible.

Mr. Wiseman asked Mr. Ciuni if any equipment had been mobilized for this particular job.

Mr. Ciuni answered not at this time; they are scheduled for this week.

Mr. Wiseman also asked – "if the City moved this paving job to August (let's say) and coordinates with Cleveland Heights would there be any cost what so ever to University Heights to make that coordination."

Mr. Ciuni replied that he couldn't say that, he would have to ask the contractor.

Mr. Wiseman voiced his concern that the City Administration has stated that there may be a cost, there is no cost to move Allison Road to the end of the summer. Nothing has been mobilized; Mr. Wiseman said he believed the cost is presented as a pretense to not accommodate what he believes to be a reasonable request from a resident citing the resident is ill, all he wants us (city) to do is wait a month to do his street - - this should be easiest thing, but we get double speak about there's an additional cost – they (the contractor) are not even in the city, they could easily move Allison Road to the end of the summer and Mr. Ciuni has said that.

Mayor Infeld thanked Mr. Wiseman for his advocacy and stated she would let him know when there's more specific information.

Recreation Committee: Chairwoman Pamela Cameron provided members of Council with tee shirts that were given out during the "All Geared Up" family event that was held on Saturday, May 16, 2015 from 9am until 12noon. Mrs. Cameron noted that the event was well sponsored by members of business and entities in the community. This was a joint venture between Cleveland Heights/University Heights School System, Cities of University Heights and Cleveland Heights, Canterbury Elementary School and PTA members. The event originally presented by University Heights resident Darren Carter. Mrs. Cameron provided an overview and highlighted some of the activities; such as having a bike swap, bike racing, free give away of bike helmets, health information, bike safety, etc. from the event. Mrs. Cameron thanked


Auxiliary Policeman Jerry Jacobson who helped with traffic during the City run, Police Chief Hammett for his presence in making sure everything went well and Mayor Infeld for attending and being a visible voice for the community so that everyone could understand that this was a community event and collaboration.

There were no other standing committee reports.

There being no further business to discuss, the meeting was adjourned at 9:08pm.

MOTION BY MR. ERTEL, SECONDED BY MRS. ZUCKER to adjourn the meeting. On Roll Call, all vote "aye."


Susan K. Infeld, Mayor


Kelly M. Thomas, Clerk of Council