

**MINUTES OF COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
MAY 19, 2014**

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
Mr. Steven Sims (7:40pm)
Ms. Pamela Cameron

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

Also Present: Law Director Anthony J. Coyne
Finance Director Larry Heiser
Police Chief Steven Hammett
City Engineer Joseph Ciuni
Community Development Libby Ellis

MOTION BY MRS. CAMERON, SECONDED BY MRS. ZUCKER to excuse the absence of Councilwoman Nancy English and Councilman Steven Sims. On roll call, all voted “aye.”

Pledge of Allegiance

Minutes of the Regular Meeting of May 5, 2014

There were no corrections to the May 5, 2014 minutes.

MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to approve the minutes of May 5, 2014 as presented. On roll call, all voted “aye.”

Comments from Audience

Mr. Harvey Morrison, 2424 White Road was present to voice his concern about the residence located at 4380 University Parkway. Mr. Morrison believes a religious house of worship is being run out of it because of the excessive amount of noise coming from that residence. Mr. Morrison also noted that during certain times there is also excessive traffic and parking. Mr. Morrison stated his hopes that the city does everything it can do to control this nuisance under Chapter 648.

Mayor Infeld thanked Mr. Morrison for informing the police department about the condition and asked him to do so whenever he is disturbed. Mayor Infeld stated that it is the city’s understanding that a large family lives there.

Comments from Mayor

Mayor Infeld reported the following information.

- The recreation booklet has been mailed out to the community as well as being posted on the city’s website;
- Recreation passes are on sale (the dates and times are listed in the booklet)
- Swimming pool is scheduled to open over the Memorial Day holiday weekend
- The Memorial Day Parade will take place on Monday, May 26 at 11am; it will follow the same route as in previous years. The program will take place on the steps of the DeCarlo Varsity Center on South Belvoir Blvd., retired Lt. Colonel Peter Bernardo will be the speaker. Other activities at the program site include bounce house, food vendors, petting zoo, magician, balloons, etc. The last Parade planning meeting will

be on Tuesday, May 20 at 7pm if anyone is still interested in helping.

- Wiley Middle School's band and choir preformed their last concert and present Mayor Infeld with their trophy from the 2011 Music Showcase Festival to display at city hall. The choir won the overall award in the Choral Junior High Middle School category.
- Mayor Infeld hopes to be able to present a report for the cost and funding options for the new park at the next City Council meeting on June 2, 2014.
- Various bike groups in the area are sponsoring "A Ride of Silence" event. In the University Heights area it is the Cleveland Heights Bike Coalition. The bike groups will be riding their bikes in honor of persons injured or killed while biking. The riders will begin at John Carroll University and end at University Hospitals.
- The school district is working the Wiley families for the transition of relocating students to Monticello and Roxboro. Students who attended Canterbury Elementary School will attend Roxboro in the fall and students who attended Gearity will attend Monticello. On May 22 the families will have the opportunity to tour both Monticello and Roxboro middle schools.
- South Belvoir Boulevard Street Resurfacing Project started in South Euclid and will begin in University Heights in June.

Agenda Items:

A. Certificate of Recognition to the Gesu Boys Cross Country Team for winning the CYO 2013 City Championship

Mayor Infeld read and presented certificates to the Gesu Boys Cross Country Team and Coaches in honor of them winning the CYO 2013 City Championship.

B. Resolution No. 2014-08 Approving the City of University Heights Purchasing Policy (second reading)

Finance Director Larry Heiser remarked that the Resolution formalizes the city's use of blanket purchase orders which are allowed according to the Ohio Revised Code 5705.41(d).

Councilman Sims asked Mr. Heiser if Resolution 2014-08 was in addition to an already existing purchasing city policy.

Mr. Heiser stated that it wasn't and that he was unable to locate a currently existing purchasing policy. Mr. Heiser also noted for clarification that Resolution 2014-08 is specific to the use of purchase orders.

Councilman Sims asked if the City has any formalized purchasing policies other than Resolution 2014-08 which is currently being present.

Mr. Heiser replied no, not at this time.

Councilman Sims stated that on several occasions he has inquired about what the City does to encourage the participation of women and minority owned businesses in the City's procurements. Councilman Sims also stated that on several occasions he was informed that the city currently includes such a statement in its solicitations.

Mr. Heiser answered that the city uses EEOC language.

Councilman Sims stated that the language that was shared with him had nothing to do with the utilization and/or the participation of women and/or minorities in the city's procurement process. In light of this Councilman Sims stated that he would not want to pass a policy that does not include specific language that would refer to the city's position in terms of the utilization of women and minority owned businesses as this is an opportunity for the city to set a standard.

Law Director Mr. Coyne asked Councilman Sims if he was suggesting the city adopt a community benefits policy.

Councilman Sims responded that he wasn't suggesting that the city adopt a community benefits policy, but for the city to include in its purchasing policy language that would indicate the city's position for the utilization of women and minority owned businesses.

Councilman Sims offered verbiage for possible policy language that could come under a Diversity and Inclusion title, i.e., "The City of University Heights supports diversity and inclusion in all its procurements and encourages the utilization of women and minority owned companies as prime and subcontractors on its contracts and supplier purchases."

Mr. Coyne stated that the language is general and aspirational but could be included.

Mr. Sims stated that he would want to see language stating such be included in any document(s) pertaining to the city's adopted purchasing policy.

Mayor Infeld noted that Resolution 2014-08 is for the purchasing of items such as street salt, swimming pool chemicals, paying street lighting bills, etc and that it has nothing to do with the bidding of contracts. Mayor Infeld suggested tabling Resolution 2014-08 to allow the Law Department to develop wording and that there could be possibly two (2) different policies; one for public contract bids and one for purchases.

Mrs. Pardee asked Mr. Heiser to explain the sentence under Section 1 of Resolution 2014-08 that states "any purchase made without an approved Purchase Order will not be paid by the City and payment will be the responsibility of the person placing the order" and if it is the intention to never use the "then and now" certificate unless it is an emergency.

Mr. Heiser replied that Resolution 2014-08 is to hinder persons from going out on their own and making purchases that aren't necessary. Then and now certificates are more to do with timing issues between the purchase orders and actual dates of purchase.

Mayor Infeld stated that the resolution memorializes the practice that the city currently has in place where persons are not allowed to make purchases without authority.

MOTION BY MRS. PARDEE, SECONDED BY MR. SIMS to table Resolution 2014-08 approving the City of University Heights Purchasing Policy until the Law Department develops the add language suggested by Mr. Sims to the policy. On roll call, all voted "aye."

C. Ordinance No. 2014-09 Authorizing the transfer of funds from the General Fund to the Street Maintenance Fund (201), Police Pension Fund (601), and Fire Pension Fund (602) (second reading)

Vice Mayor Pardee stated that the transfer funds from the General Fund to the Street Maintenance Fund, Police Pension Fund and to the Fire Pension Fund is standard operating procedure and had already been budgeted for 2014.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to approve Ordinance No. 2014-09 authorizing the transfer of funds from the General Fund to the Street Maintenance Fund (201), Police Pension Fund (601), and Fire Pension Fund (602). On roll call, all voted "aye."

D. Motion Authoring City to advertise for Bids for the 2014-2015 Catch Basin, Inlet Sewer Cleaning and Television Program

City Engineer Joseph Ciuni reported that previously the city took bids for the annual catch basin, inlet sewer cleaning and television program but this year Mr. Ciuni would like to have a two (2) year contract for a total of 700 catch basins with a distance of 150,000 linear feet. Mr. Ciuni stated that in 2013 the project was \$180,000 so he is recommending a budget of \$400,000 over the two years. The project will be directed by the Service Director Jeffrey Pokorny.

Councilman Wiseman asked what percentage of the city the project would cover. Mr. Ciuni responded that there are 32 miles of roadway in University Heights, percentage wise it not a great amount but in terms of catch basins its one third of the city with a total of a little over 1000 catch basins.

Councilwoman Cameron asked why the City did not enter into a program with the County.

Mayor Infeld answered that currently the services that the County Public Works program offers would be more expensive than what we can do in house.

Mr. Ciuni noted that the City of Shaker Heights had gone with the County two years ago and is considering going out for bids next year because even though the service was good, the pricing wasn't quite what they thought it would be.

Councilwoman Cameron questioned if the County Public Works services included emergency services or if the city would still have to bid that project out.

Mr. Ciuni answered the County Project is billed in a á la chart format. The city would have routine maintenance but emergency items would have an additional separate cost.

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON authoring the City to advertise for Bids for the 2014-2015 Catch Basin, Inlet Sewer Cleaning and Television Program. On roll call, all voted "aye."

E. Motion Authorizing the purchase of a Kuboda Rubbish Scooter for the Service Department.

Mayor Infeld asked if Council would table authorizing the purchase of a Kuboda Rubbish Scooter for the Service Department due to the absence of Service Director Jeffrey Pokorny.

MOTION BY MR. WISEMAN, SECONDED BY MRS. ZUCKER to table authorizing the purchase of a Kuboda Rubbish Scooter for the Service Department until the next City Council meeting. On roll call, all voted "aye."

F. Motion Authorizing the purchase of a Leaf Vacuum Truck for the Service Department

Mayor Infeld asked if Council would table authorizing the purchase of a Leaf Vacuum Truck for the Service Department due to the absence of Service Director Jeffrey Pokorny.

MOTION BY MRS. PARDEE, SECONDED BY MR. SIMS to table authorizing the purchase of a Leaf Vacuum Truck for the Service Department until the next City Council meeting. On roll call, all voted "aye."

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

Mayor requested a motion for executive session for the discussion of real estate matters for City owned property and personnel matters regarding collective bargaining.

MOTION BY MRS. ZUCKER, SECONDED BY MR. ERTEL to enter into executive session for the purpose of solely discussing real estate matters for City owned property and personnel matters regarding collective bargaining. On roll call, all voted "aye."

Directors' Reports

Mayor Infeld introduced Ms. Libby Ellis. Ms. Ellis is the City's Community Development Coordinator.

Mayor Infeld also informed everyone that notices went out to homes along the parade route reminding them to spruce up their lawns. The Building Department has also started to tag houses with yards that are unsightly. Mr. Sims stated he will be providing Building Commissioner Menn with addresses of houses with unsightly yards.

Engineer Department: City Engineer Joseph Ciuni stated that he, Service Director Jeffrey Pokorny and Police Chief Hammett will be meeting with representatives from Dominion East Ohio Gas for a preconstruction meeting regarding the gas line project for Cedar Road. The plan is to begin work in Beachwood first and continue on to University Heights around August or

September 2014.

There were no other director reports.

Standing Committee Reports

Governmental Affairs Committee Chairman Mark Wiseman reported the Governmental Affairs Committee will meet on Tuesday, May 27 at 7pm and that the school board will have a meeting pertaining to the use of Wiley Middle School as swing space on Tuesday, May 20, 7pm at Wiley.

Recreation Committee Chairwoman Pam Cameron reported that Mr. Gregory Bell, 3681 Washington Blvd. has asked to be part of the Recreation Advisory Committee.

Safety Committee Chairman Phillip Ertel announced that the safety committee will meet on Monday, June 16 at 7pm just prior to the council meeting to discuss police auxiliary membership.

Service and Utilities Committee Chairwoman Adele Zucker had no report but informed everyone that there was an article in the Cleveland Jewish News announcing that Virginia "GiGi" Benjamin is one of the recipients of the "2014 ORT America Jurisprudence Award" from the Northeast Ohio Region of ORT America. Ms. Benjamin is a partner at Calfee, Halter & Griswold law firm.

There were no other standing committee reports.

Council entered into executive session at 8:35p.m. to solely discuss City owned property and personnel collective bargaining matters.


MOTION BY MRS. CAMERON, SECONDED BY MRS. ZUCKER to resume the regular Council meeting session at 9:30p.m. On roll call, all voted "aye."

There being no further business to discuss, the meeting was adjourned at 9:45pm.

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



Susan K. Infeld, Mayor



Kelly M. Thomas, Clerk of Council

