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

Roll Call: Present: Mr. Thomas Cozzens
Mrs. Adele Zucker
Mr. Steven Sims
Mrs. Pamela Cameron
Mr. Philip Ertel

Absent: Mrs. Frankie B. Goldberg
Mrs. Susan D. Pardee

Also Present: Clerk of Council Kelly M. Thomas
Law Director Kenneth Fisher
Finance Director Larry Heiser
Chief of Police Steven Hammett
Fire Chief David Rodney
Service Director Jeffery Pokorny

MOTION BY MRS. ZUCKER, SECONDED BY MR. COZZENS to excuse the absence of Councilwomen Goldberg and Pardee. On roll call, all voted “aye.”

Pledge of Allegiance

Minutes of the meeting held on September 24, 2012

Mayor Infeld noted a few corrections to the minutes of September 24, 2012.

MOTION BY MRS. CAMERON, SECONDED BY MR. COZZENS to approve the minutes as presented with the noted corrections of the meeting held on September 24, 2012. On roll call, all voted “aye”, except Mr. Ertel who “passed.”

Comments from the Audience

Dave Hollo, University Heights Paramedic/Fire Fighter. Mr. Hollo serves as the Treasurer for the University Heights Firefighters Association and also as the Muscular Dystrophy Coordinator. Mr. Hollo thanked the residents of University Heights for their monetary support of the Annual Muscular Dystrophy Association’s “Fill the Boot” Campaign. This year more than $3,600 was collected. Those monies stay locally to help families in Northeast Ohio. The monies are also used to fund the Children’s Summer Camp and other programs for both children and adults.

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

Mayor Infeld announced that the Municipal Services Study which looked at sharing fire services between Shaker Heights and University Heights would be released and presented by the consultant on Monday, October 15, 2012. There will be a presentation to the University Heights City Council at 7:30pm. Prior to that presentation the consultant will make a presentation to the Shaker Heights City Council at 5:30pm at the Shaker Heights City Hall. The regularly scheduled Council meeting will follow the 7:30pm presentation. The study was funded largely through a grant from the Cleveland Foundation and a lesser amount by City funds from both University Heights and Shaker Heights.

Mayor Infeld reminded everyone about the University Heights Charter change, Ballot Issue 98. Issue 98 changes the deadline for filing petitions for election issues in University Heights from 60 days to 90 days. This was requested by the Board of Elections to standardize petition filing dates throughout Cuyahoga County. Mayor Infeld noted the various voting deadlines. Early voting starts on October 2, 2012. Registration closes on October 9. The last day to vote early is November 2 and November 3 is the deadline to request applications to vote by mail. For those who vote by mail the
postmark on the return ballot must be dated no later than November 5. All information regarding the upcoming November election will be posted on the City’s website as well as in the lobby of City Hall.

Agenda Items:

A. Resolution No. 2012-60 Adopting the Solid Waste Management Plan for the Cuyahoga County Solid Waste Management District (second reading).

Mayor Infeld introduced Ms. Diane Bickett, Cuyahoga County Solid Waste District Executive Director.

Ms. Bickett explained that the plan requires Cities to update their plan every five (5) years. The Solid Waste Management Plan does essentially two things: (1) makes sure that the 1.3 million tons of collected waste has a place to be disposed of; and (2) finds ways to divert waste from the landfills by increasing waste reduction through recycling and composting activities countywide. The Cuyahoga County Solid Waste Management District is a small county level agency with a staff of 6 and was formed in the late 1980's when the State of Ohio passed the Ohio Solid Waste Law. There are 52 Solid Waste Districts in Ohio. Ms. Bickett stated that the majority of the Solid Waste District’s responsibilities are in education by promoting waste reduction/recycling to the public. The District has several programs that help the cities of Cuyahoga County manage their waste programs. Some of which are the disposal of special waste and the contracting out for solid waste management recycling services. Ms. Bickett happily announced that University Heights has taken full advantage of the programs that the Solid Waste District offers. University Heights joined in with a consortium and currently receives monies for collected recycled materials. Last year University Heights received approximately $10,000 - $12,000.

The Solid Waste Management Plan shows that Cuyahoga County meets the State requirements for recycling. Cuyahoga County is the leader in the State of Ohio by exceeding the required amount with a recycling rate of 44%. In terms of fees/charges there is no fee increase and the funding is required by the Ohio EPA. The funding, also known as the Generation Fee affords the programs and services offered by the Solid Waste Management District. The generation fee is the tax amount placed on the waste that is generated in Cuyahoga County and disposed of in any landfill in the State of Ohio. For every ton of waste that comes out of Cuyahoga County, the Solid Waste District receives $1.50.

Mrs. Zucker asked how residents should dispose of outdated prescription drugs. Ms. Bickett responded that the Department of Drugs Enforcement (DEA) handles the collection of prescription drugs during their collection events and that the Solid Waste District helps to publicize those collection events. Ms. Bickett stated that medicine of any form can be disposed of in the regular trash, just be sure that all personal information has been removed and in the case of pills fill the bottle with water to ensure the medicine is unusable. Ms. Bickett also recommended that people sign up for the Solid Waste District’s e-newsletter at cuyahogaswd.org to receive notification of various events.

MOTION BY MR. SIMS, SECONDED BY MR. ERTEL to Adopt Resolution No. 2012-60 adopting the Solid Waste Management Plan for the Cuyahoga County Solid Waste Management District On roll call, on passage, all voted “aye.”


Finance Director, Larry Heiser remarked that Ordinance 2012-61 is necessary in appropriating the monies that relate to city’s application for the energy program that was done in July. The energy program awarded University Heights a grant in the amount of $46,575. All the grant projects have been completed with a final cost close to $46,575. Mr. Heiser stated that the city probably won’t get reimbursed until 2013, thus creating the need to transfer the monies from the General Fund into this Fund. Once the grant funds are received the monies will be transferred back into the General Fund.
Mayor Infeld reminded Council that this Ordinance is creating the fund for this particular grant.

C. Ordinance No. 2012-62 Authorizing the Transfer of Funds and Declaring an Emergency.

Finance Director, Larry Heiser explained this Ordinance is the transfer of funds from the General Fund into the Municipal Energy Grant Fund (219) to pay the energy project bills until the grant monies are received. The transfer into the Fire Pension Fund (602) is to bring that Fund to a positive balance.

Mrs. Cameron asked if it is common to create special mini funds or do they already exist and if they are always identified as temporary funds. Mr. Heiser stated there are times when the city needs to create these funds but the city has to obtain authorization from the State. In this case the Ashurst Rain Garden Fund 219 had a zero balance and hadn’t been used, so the city renamed fund to the Municipal Energy Grant Fund. When Mr. Heiser called the State Auditor he was informed that if the fund is for a specific purpose authorization from the State is not needed.

MOTION BY MR. COZZENS, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2012-62 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

D. Motion to approve City of University Heights Employee Handbook.

Mayor Infeld informed Council that the handbook was originally presented to the previous City Council as it was being drafted. All city employees have read the handbook and signed off that they received a copy of the handbook.

The handbook was developed with the assistance of the City’s Labor Counsel, Pat Hoban. Mayor Infeld stated she held a series of meetings with employees to discuss the polices in the handbook. Superceding the handbook are the collective bargaining agreements with the various departments. The handbook is a handbook of policies that will apply to all employees unless there is a direct conflict with the other mechanisms. The handbook is something the employees can rely on, previously there has never been an handbook as such.

Mr. Sims replied that he thought the handbook was a good effort to codify the practices of the City around personnel matters, but wasn’t aware it would be brought before Council at this time. Since a handbook didn’t previously exist Mr. Sims was not sure that a Council meeting was the appropriate place to address his questions. Mr. Sims remarked that Council had never been asked to adopt or accept an employee handbook, but felt that once Council does they are agreeing with the handbook’s contents. Mr. Sims noted that he personally felt some items deserve some level of discussion, if for no other reason but clarification. Mr. Sims asked for a delay in the adoption of the handbook until Council as a Whole can discuss the handbook, whether at the current Council meeting or at a later date.

Mayor Infeld reiterated that she met with employee groups throughout the summer to answer any questions they may have had. Mayor Infeld also stated that she is adept in answering any questions Council may have and that this was an personnel measure that the City had never taken before to benefit all city employees. The handbook was developed with the assistance of two attorneys from the City’s labor consel. The City also had the added benefit that one of the attorneys involved was the same attorney that developed the City’s collective bargaining agreement.

Mr. Sims questioned Council’s purpose of approving the handbook if it has already been vetted by all the experts. Mayor Infeld responded the handbook was being presented so that it so Council could have a sense of how the City operates administratively and what the employees can refer to as being polices of the Administration. Mayor Infeld also stated presenting the handbook to Council was done as a courtesy and that it was only correct to inform Council of the handbook.

Mrs. Cameron asked if Council would be held to any legal liability as representatives of the City? Assistant Law Director Nevar stated that Council would not be liable. Mrs. Cameron remarked that she was not opposed to having a opportunity to discuss the handbook at a later date.
Mayor Infeld stated she would make arrangements to have the attorneys present to speak with Council about the policies. Mayor Infeld further informed Council that the process used to create the handbook is known as “best practices,” that is why attorneys were hired to help. If there are issues/questions especially from members of Council Mayor Infeld would like the attorneys present to answer questions. Mayor Infeld stated the handbook is in regards to personnel policies and law. The meeting will be a public meeting of the Council Committee of the Whole where the public and employee groups can come and hear Council’s questions and concerns.

Mayor Infeld suggested that Council members submit their questions in writing to the Council Clerk who will in turn submit them to the Administration. That will allow the Administration time to gather the answers in advance of the meeting and if necessary arrange to have the attorneys present.

Mrs. Cameron requested that all questions be given to the entire Council body.

Mr. Ertel stated that in addition to this being a first of its kind document that is sorely needed, he appreciated being included in the process.

E. Motion to hold an executive session immediately following this regular meeting for the purpose of discussing an personnel matter.

Mayor Infeld requested an executive session to discuss an personnel matter.

MOTION BY MR. COZZENS, SECONDED BY MRS. CAMERON to enter into executive session for the purpose of an personnel matter. On roll call all voted “aye.”

Directors’ Reports:

Finance Director Larry Heiser thanked Council for passing the Ordinances and noted that in the future Ordinances to transfer funds will not be on an emergency basis allowing for the usual two (2) readings prior to passage.

Fire Department Chief Dave Rodney thanked Dave Hollo for reporting about the Muscular Dystrophy drive. The Fire Department has supported the Muscular Dystrophy Association and other charities for many years.

Service Director Jeffrey Pokorny reminded everyone that curbside leaf collection will begin on October 15. Mayor Infeld also mentioned that the free paper shredding and hazardous waste collection will take place on the weekend of November 2 and 3.

Committee Reports:

Building Committee Chairman Adele H. Zucker stated that the Building Committee along with Building Commissioner David Menn will meet on Thursday, October 11 at 7pm in the Council Chambers to discuss rental properties. A report will be submitted after the meeting.

Service and Utilities Committee Chairman Steven Sims reported that Service and Utilities Committee will meet on Tuesday, October 9 at 7pm primarily to discuss street resurfacing and the potential of the long term curb approach, landscaping registration and possibly look at the question of tree plantings on private property.

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

Susan K. Infeld, Mayor

Kelly M. Thomas, Clerk of Council