Mayor Infeld called the regular meeting to order at 9:37 p.m.

Roll Call: Present: Mrs. Frankie B. Goldberg
Mr. Thomas Cozzens
Mrs. Adele H. Zucker
Mr. Steven Sims
Mrs. Susan D. Pardee
Mrs. Pamela Cameron
Mr. Phillip Ertel

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

Pledge of Allegiance

Minutes of the meeting held on October 1, 2012

Mayor Infeld noted a few corrections to the minutes of October 1, 2012.

MOTION BY MR. COZZENS, SECONDED BY MR. ERTEL to approve the minutes as presented with the noted corrections of the meeting held on October 1, 2012. On roll call, all voted “aye”, except Mrs. Goldberg and Mrs. Pardee who “passed.”

Comments from the Audience

No comments

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

Mayor Infeld reminded everyone that it is not too late to register to vote and that University Heights has Issue No. 38 on the ballot. Mayor Infeld also made mention that the City’s annual household hazardous waste recycling and shredding day is Friday, Nov. 2 and Saturday, Nov. 3 from 9am - 1pm in the service yard. Leaf pick-up from the treelawns started and will run until December 1, 2012. Dominion East Ohio Gas is conducting a gas line project on the westside of Warrensville Center Road from Cedar Road to Lansdale Road. The project will provide a gas line extension for the new Walmart located on Warrensville Center Road in South Euclid. John Carroll University will have a Community Service Day and will be working with the City’s Service Director Jeff Pokorny to help senior citizens with yard work and also with work at the City’s Community Garden.

Agenda Items:

Mayor Infeld asked Council for a motion to place Resolution 2012-67 Honoring Law Director Kenneth J. Fisher on the agenda.

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to Add Resolution No. 2012-67 Honoring Law Director Kenneth J. Fisher to the agenda. On roll call, on passage, all voted “aye.”

Mayor Infeld announced that this was Mr. Fisher’s last Council meeting as Law Director. Mr. Fisher has served the City for 15 years with extensive knowledge of Planning and Zoning issues.

Vice Mayor Goldberg spoke of Mr. Fisher’s heart always being in University Heights and with the residents. Mr. Fisher always balanced competing issues while his priority was always with an eye towards the best interest of University Heights. Mr. Fisher’s contributions to University Heights and its residents has left a lasting legacy on the city and community.
Each member of Council read a portion of Resolution 2012-67.

Mr. Fisher stated his family moved to University Heights in 1957 and resided in the same house for 45 years. Mr. Fisher graduated from each of the local University Heights schools; Belvoir Elementary (Gearity Professional Development School), Wiley Middle School and then Cleveland Heights High School. Mr. Fisher said University Heights continues to be a wonderful place to live and to raise a family, and that he was privileged to serve as Law Director for 15 years and to work with two (2) very outstanding Mayors, Mayor Infeld and Mayor Rothschild as well as the dedicated members of City Council. Mr. Fisher thanked everyone for the Resolution and wished his successor Mr. Coyne much success.


Finance Director, Larry Heiser remarked that Ordinance 2012-61 is to expend the monies the City received from the Municipal Energy Grant Program for the new lighting in the Fire Department, the new furnace in the Police Department and exit lights in city hall.

MOTION BY MR. COZZENS, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2012-61 Amending Ordinance 2012-07 and 2012-33 for Current Expenses and Other Expenditures of the City of University Heights, Ohio, for the Period Commencing January 1, 2012 and Ending December 31, 2012. On roll call all voted “aye.”

B. Ordinance No. 2012-63 Amending Section 624.06 of the Codified Ordinances of the City of University Heights by Reducing the Penalty for Possession of Marijuana Drug Paraphernalia and Declaring an Emergency.

Police Chief, Steve Hammett explained Ordinance 2012-63 is part of Senate Bill 337, which went into effect on September 28, 2012. Senate Bill 337 reduces the penalty for possession of marijuana drug paraphernalia from a fourth (4th) degree misdemeanor to a minor misdemeanor. Both Chief Hammett and University Heights City Prosecutor William Doyle are in agreement that the minor misdemeanor charge is the more appropriate charge for this offense. Chief Hammett also stated he believes the City’s Ordinance should mirror the State of Ohio rulings in this case.

Mrs. Pardee asked for clarification in regards to the wording of the next agenda item Ordinance No. 2012-64, where in Section 1 (g) it states the offender will lose their driver’s license for not less than six (6) months if found in violation and convicted. Chief Hammett stated that would be an extreme case and the penalty is usually decided by the presiding Judge.

MOTION BY MRS. PARDEE, SECONDED BY MRS. GOLDBERG to approve the passage of Ordinance No. 2012-63 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

C. Ordinance No. 2012-64 Establishing Section 624.061 of the Codified Ordinances of the City of University Heights by Establishing the Penalty for Possession of Marijuana Drug Paraphernalia and Declaring an Emergency

MOTION BY MRS. ZUCKER, SECONDED BY MR. COZZENS to approve the passage of Ordinance No. 2012-64 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”
D. Ordinance No. 2012-65 Appointing Anthony J. Coyne as Law Director and Declaring an Emergency.

MOTION BY MRS. GOLDBERG, SECONDED BY MRS. ZUCKER to approve the passage of Ordinance No. 2012-65 with the corrected figure of $175.00 in Section 3 as an emergency measure. On roll call, on suspension of rules, all voted “aye.” On roll call, on passage, all voted “aye.”

E. Motion to Authorize the City to advertise for bids for two (2) Tree Trimming and Removal Projects.

Mr. Pokorny explained that the two (2) lists of various trees had been inspected and found to need attention or trimming. Trees listed on 2012-5 are a culmination of a number of trees throughout the city. Most of them are in the southwestern portion of the City. Also on the list are trees which are part of the regular tree maintenance project for when residents notify the city that their tree(s) needs trimming or maintenance. The trees noted on the 2012-6 listing are located on Washington Blvd. from the western city limits to Silsby Road. Mr. Pokorny noted that this area has shown quite a bit of need. This project will complete most of the work needed for zone 1. Next year the city will move to zone 2 which is the northeastern section of University Heights.

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to authorize the city to advertise bids for two (2) Tree Pruning and Removal projects 2012.5 and 2012.6. On roll call, all voted “aye.”

F. Motion to Authorize the City to enter into a contract with Advance Door Company in an amount not to exceed $14,375.00 to install a service door in the mechanic’s garage.

Mayor Infeld stated that this item was budgeted in the 2012 budget and that the monies have been set aside.

MOTION BY MRS. PARDEE, SECONDED BY MR. COZZENS to authorize entering into contract with Advance Door Company in an amount not to exceed $14,375.00. On roll call, all voted “aye.”

G. Motion to Declare the front porch of the property at 3505 Tullamore Road as a nuisance.

Mayor Infeld reported that the Administration is requesting Council to declare the property located at 3505 Tullamore as a nuisance property. Declaring the property a nuisance will enable the Administration to return to Council in two (2) weeks and request permission to repair the front porch.

If Council declares the house a nuisance and grants approval for the Administration to repair the front porch the cost of the repairs will be attached to the homeowner’s property tax.

MOTION BY MR. SIMS, SECONDED BY MRS. PARDEE to declare the property located at 3505 Tullamore Road as a nuisance. On roll call, all voted “aye.”

Mayor Infeld asked Council to add Resolution No. 2012-66 Authorizing the Mayor to seek Financial Assistance from the Ohio Public Works Commission (OPWC) State Public Works Program to Fund various Capital Infrastructure Improvement Projects to the agenda.

MOTION BY MRS. PARDEE to place Resolution No. 2012-66 on the Agenda.

The District One Public Works Integrating Community called DOPWIC accepts applications on behalf of the Ohio Public Works Commission. The Administration is seeking funds for the restoration of the following roadway surfaces: Washington Boulevard (from Silsby to Cedar) and Silsby Road (from South Belvoir to Warrensville Center Road).

Mr. Pokorney stated that these two (2) sections of roadways were selected based on need and also upon
meeting the criteria required by the OPWC. The roadways met those criteria due to average daily traffic and user requirements.

MOTION BY MR. COZZENS, SECONDED BY MR. ERTEL to Adopt Resolution No. 2012-66 to the Agenda and Authorize the Mayor to seek Financial Assistance from the Ohio Public Works Commission (OPWC) State Public Works Program to Fund various Capital Infrastructure Improvement Projects and Declaring an Emergency. On roll call, on passage, all voted “aye.”

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

There was no need to hold executive session.

Directors’ Reports:

Finance Director Larry Heiser reported that he will present Transfer Ordinances to Council at the next Council meeting. The Finance Committee will meet in November to formulate a preliminary budget for December in hopes of passing the budget earlier than usual.

Committee Reports:

Building Committee Chairman Adele H. Zucker met with Building Commissioner David Menn and confirmed that there are 723 rental properties in the city.

Civic Information Committee Chairman Susan Pardee announced that the Cleveland Heights/University Heights Schools District received two (2) grants from the Cuyahoga County Solid Waste District. One of the Small Schools at the high school is focusing on recycling in every classroom and Gearity Professional Development School is teaching the children all about composting by composting worms.

Mrs. Pardee also stated that the Civic Information Committee is seeking people for the Technology Advisory Commission. Some of the duties and purpose of the Commission include: (a) recommending general policies relating to operation and uses of technological tools and services, (b) monitoring and reviewing state of the art and related information policies and regulations and (c) encourage the use of internet access and communication, such as the city’s website and access channels. Candidates should have expertise in technology in areas such as law, science, consumer affairs, economics, or have IT or MIS experience. Interested parties can submit their letters of interest and resumes to Clerk of Council Kelly Thomas.

Recreation Committee Chairwoman Pamela Cameron reported that Cuyahoga County Councilman Julian Rodgers is holding a “Meet and Greet” event on Wednesday, October 17, 2012 at Pizzazz.

Service and Utilities Committee Chairman Steven Sims reported that Service and Utilities Committee met on Tuesday, October 9, 2012 and received reports from Service Director Jeff Pokorny and City Engineer Joseph Ciuni. A recommendation in respect to curbs and street resurfacing will be advanced to Council through the Committee of the Whole for further consideration.

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

Susan K. Infeld, Mayor

Kelly M. Thomas, Clerk of Council