

**MINUTES COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
OCTOBER 6, 2014**

Mayor Infeld called the regular meeting to order at 7:37 p.m.

Roll Call:

Present: Mrs. Susan Pardee
Ms. Nancy E. English
Mr. Mark Wiseman
Mrs. Adele Zucker
Mr. Phillip Ertel
Ms. Pamela Cameron

Absent: Mr. Steven Sims

Also Present: Law Director Anthony J. Coyne
Finance Director Larry Heiser
Police Chief Steve Hammett
Service Director Jeffrey Pokorny
Fire Chief Douglas Zook
Building Commissioner Eric Tuck-Macalla
City Engineer Joseph Ciuni
Clerk of Council Kelly M. Thomas
Community Dev. Coord. Elizabeth (Libby) Ellis

Pledge of Allegiance

MOTION BY MS. ENGLISH, SECONDED BY MR. ERTEL to excuse the absence of Councilman Sims. On roll call, all voted "aye."

Minutes of the Special Meeting of September 15, 2014

MOTION BY VICE MAYOR PARDEE, SECONDED BY MR. ERTEL to approve the minutes of September 15, 2014 as presented. On roll call, all voted "aye."

Minutes of the Special Meeting of September 22, 2014

MOTION BY MRS. ZUCKER, SECONDED BY MS. ENGLISH to approve the minutes of September 22, 2014 as presented. On roll call, all voted "aye."

Comments from Audience

Lt. Dave Hollo, Treasurer Fire Fighters Local 974 reported that Local 974 has been very involved in the community and will continue to do so this year. Lt. Hollo stated that one of the Department's important cause is that of fighting muscular disease and the Fire Department's commitment to the Muscular Dystrophy Association. This year the Department was involved in the springtime muscle walk held at the IX Center and will also be involved in the week long Summer Camp that is held for kids from all across Northern Ohio affected with the disease. During the weekend of Labor Day the Department was involved in the "Sneak Peek" looking at the Muscular Dystrophy telethon at North Randall and in the "Fill the Boot" drive. This year the total monies donated by the community and fire fighters were over \$6500.

Lt. Hollo introduced Kimberley Kobe, Executive Director of the Muscular Dystrophy Association. Ms. Kobe stated that the Association has been grateful for the Fire Department's support this year. This year's "Fill the Boot" campaign and donation of \$6500 has been the best year the department has had and without the support of the community that would not have been able to happen. Services are provided for kids and adults in 23 area counties, all the monies raised and services provided stay local to help with summer camp, support groups as well as clinic visits, equipment and loan repairs. Ms. Kobe stated she was very grateful for the community and Fire Department for allowing this partnership to continue to happen. Ms. Kobe presented University Heights with the Fire Fighter Award.

Lt. Hollo ended in reporting: (1) October is Breast Cancer awareness month and the fire service is committed to supporting that cause and encourages everyone to “be brave enough to wear pink”, that is the slogan and motto for October; (2) This week, October 5 – October 11 is fire prevention week and the motto is “working smoke alarms saves lives.” Lt. Hollo informed everyone to make sure they test their smoke alarms every month. Additional information is available at nfpa.org.

Mayor's Comments

- October newsletter is out
 - Information about the next Planning Commission meeting on Oct. 14 where the school district will represent their facilities plans for the renovation of the High and Middle Schools
- Dominion East Ohio is finishing up the gas line replacement on Cedar Road. It was noted that the sidewalks will be replaced as well
- Leaf pickup from the curbs will begin on October 15 and continue until December 5
- Semi-Annual collection of hazardous waste and free paper shredding will take place Friday, October 31 and Saturday, November 1 in the service yard
- University Heights has a bond issue #93 on the Nov. 4th ballot for the development of a park on the former site of Northwood and Mizarachi School
- Trick or Treat is on Friday, October 31 from 6pm to 8pm.

Agenda Items:

A. Presentation from Cleveland Heights/University Heights Public Library

Mrs. Nancy Levin, Director Heights Libraries, Mrs. Aurora Martinez, University Heights Library Branch Manager and Ms. Abbey Botnick, Trustee from University Heights were all present.

Mrs. Levin provided everyone copies of the certified annual library financial report that outlines the financial state of the library along with the usage statistics. Mrs. Levin noted that the library received for the second year in a row the Auditor's of State Excellent Award with distinction. Mrs. Levin stated that the immense value of the local heights libraries can't be taken for granted. The services that are provided can seem routine, i.e. lending books, connecting residents to the web, creating programs for children, providing resources for job seekers, etc. but those services are fundamental to everyone, they have anchored the Heights walkable neighborhoods, educated the citizenry and provided top notch free services to all residents. The Heights Libraries also received five stars, which is the top grade for the fifth year in a row from the Library Journal and is ranked seventh in the Country for a library of its size.

Mrs. Levin reported that State funding is the lowest point since 1996 and it provides one-third of the library's budget, property taxes accounts for two-thirds and the last 1% is from fines and fees. In 2013 there were more than 1 million visitors of that @ 180,000 were at the University Heights Branch.

Mrs. Martinez stated that in the face of declining budgets the Heights libraries have made smart fiscal decisions; over 1 million dollars have been cut from the budget with minimal service impact. Mrs. Martinez stated that the solid financial foundation that the Heights Libraries have built needs to be protected with a 2.2mil operating levy on the November ballot. The impact to homeowners amounts to \$6.13 per month for every \$100,000 home evaluation. The Library Board has prioritized the following items: restore Sunday hours as was done this year for the University Heights branch, for the Coventry and Noble branches, provide enhancements to the facilities to keep up with technology and new uses, improve parking and handicap access and establish energy saving and sustainability upgrades. The plan also includes upgrades to the University Heights facility as long as there is funding. The building was built in 1953 and last renovated in the 1990's. In community meetings the need for a back door for access to parking, a first floor restroom, and increased parking were expressed to the Library Board. A committee has also been made to improving early literacy spaces at each of the branches along with meeting room access especially at the University Heights branch.

Ms. Abbey Botnick, University Heights Board Member remarked that the Heights Libraries have been able to roll with the cuts without significantly impacting the patrons, but the library is coming to an end of the ability to continue to do so. Without further support from the community the impacts will start to have a more noticeable effect to the service population, such as; service hours, staff, and possibility the number of branches that the Heights Library System

has. With the levy all of the library needs could be addressed. The populations for both Cleveland Heights and University Heights are diverse with diverse needs. Some citizens rely on the library for connectivity and the internet, early literacy programs, etc. The Library Board would like to help fill in the community gaps for library services in the public schools, further early literacy programs, further senior support and support for underserved populations. In 2012 the library conducted a detailed study of all library users and the results were: love the library system and services; want more programming and hours; facilities with better access, parking, layout and more suited to fit the needs of today's uses and population. Ms. Botnick asked for the support of the University Heights City Council for Issue 5 on November 4 and further asked each Council member to endorse Issue 5.

B. Presentation from 1st Energy ~ Terry J. Killeen, Manager External Affairs

Mr. Killeen presented a PowerPoint presentation that depicted the process of electricity storm restoration. Mr. Killeen noted the importance of residents to call the power outage line if their power is out because not all outage are automatically known because it could be an isolated case.

C. Approval of Planning Recommendation regarding the CESO / Waterway Way & Wash Company and Larry Weiser's application to rezone parcel numbers 721-18- 005, 721-18-006, 721-18-007, 721-18-008, 721-18-009, and 721-18-049 from the current U-2 (two-family residential district) to a U-7 (Local Retail District) and the rezoning of 721-18-010 from the current U-3 & U-8 (automobile parking district/shopping center district) to a U-7 (Local Retail District). Conditional on the filing of the lot split and consolidation plat with the County to the meeting

Mr. Weiser, applicant and owner of Cedar Green Shopping Center stated that he was requesting a change in the zoning at this particular point. Mr. Weiser noted that whether Waterway was liked or not liked is probably irrelevant because the other plans Mr. Weiser would come up with would have to be approved by both Planning and Zoning and then back to City Council. The primary point is that as an economic development for the City of University Heights Mr. Weiser stated that this is a good plan. It will enhance one of the entrance ways to University Heights; provide a number of jobs and additional taxes. Waterway is a larger business with a number of employees, will provide a service – as there is not a car washing facility in University Heights. Mr. Weiser noted that even if it isn't a car wash, gas station or convenient center he has many, many choices available to enhance the appearance of the entrance way to the City. Mr. Weiser stated that he's has various people present to answer any questions.

Mayor Infeld noted that the City recognizes that this is an entry point to the City with a busy intersection. So busy that NOACA conducted a multi-city study of that intersection a couple years ago. Mayor Infeld stated that some traffic interventions resulted from that study, such as; a turn lane on Cedar Road onto Kerwin Road where the apartments are as well as the shopping center with Papa John's Pizza. There were also changes made to the traffic patterns leaving the Cedar Road Shopping areas on the west side of the Green Road.

Mr. Ertel noted a previous comment that Mr. Weiser made referring to additional revenue for the City and asked Mr. Weiser how much additional revenue would that be.

Mr. Weiser stated that he wasn't a tax expert but in talking with his accountant there would be additional revenue.

Mr. Goldman, Waterway stated that would absolutely be additional revenue. The City will receive the local employment tax and taxes from the convenient store items. Waterway will have 3 full-time managerial personnel and the remaining part-time staff which could be up to 40 part-time persons on the payroll.

Mrs. Zucker noted that the project was incorrectly labeled as being located at the South West corner of the Cedar and Fenway Drive intersection in the City of South Euclid.

Mayor Infeld replied that the City's Engineer, GPD group addressed that error in labeling by the company who conducted the traffic study.

Mr. Wiseman asked if a written correction of the location has been provided to the City?

Mr. Ciuni replied that he sent the applicant his review letter on April 7th and the applicant responded on April 17th, then Mr. Ciuni responded on May 14th in acceptance but to answer Mr. Wiseman's question, no, the applicant did not correct the typo that stated the location as South Euclid.

Mr. Wiseman clarified that none of the applicant's documents corrected the location be the South East instead of the South West section.

Mrs. Cameron noted that the applicant stated that the proposed traffic light was a necessity and questioned if the involved cities have been approached for their viewpoint or how it will affect their cities, i.e. South Euclid to the North and Beachwood to the Southeast.

Mr. Ciuni replied the only City that had comments was Beachwood and that is way a dedicated left turn arrow will not be allowed at the site, in hopes of eliminating cut through traffic. Mr. Ciuni stated that South Euclid had no comments.

Mayor Infeld stated that as a courtesy she had conversations with both, Mayor Welo, South Euclid and Mayor Gordon, Beachwood to inform them that this project might come to University Heights, but that there had been no presentation to the Planning Commission. No issues by either Mayor were expressed to her.

Mr. Wiseman noted that he has a concern that the request for approval for this application is happening too fast. There are a lot of different issues that Council needs to be looking at, more in depth than just having two weeks between when it was first introduced and when the final vote is. Mr. Wiseman continued to say that he thought he would be in favor sending this to one of the Council Committee so Council would have time to dive into the issues and take their time to look at things. Mr. Wiseman stated that his comments have nothing to do with Waterway and how good a Waterway would be or not be, but it is a very important intersection that warrants more of a look by Council to determine the different issues that may arise.

Mayor Infeld replied that that would be an unusual step for the Council to take. Procedurally the City operates where projects are brought before the Planning Commission then the Planning Commission makes a recommendation of either yay or nay it is then it is referred to the City Council for approval. In this case the traffic study was performed in April, but there was no application made to the Planning Commission until the August Planning Commission meeting. Mayor Infeld stated that Mr. Weiser has been very up front and gracious about sharing his thought processes and talking to her over the past 5 years about possible development at this site. Mr. Weiser has also been in conversation with Mayor Welo and Mayor Gordon in recognizing the street borders different communities. Mayor Infeld continued to say the project that stuck and brought Mr. Weiser to the Planning Commission was the Waterway project, but even as Mr. Weiser stated if it's not this project it could well be something else and that he (Mr. Weiser) was making this presentation to the Planning Commission and to the Council as a follow up to express his interest in converting the residential site where he owns the four vacant house, which are not in good shape into a commercial site, especially as an entrance way to the City and that he is the owner of the adjacent commercial shopping center. Mayor Infeld noted to her Mr. Weiser has followed the normal procedure and is in favor of Council following the pattern and either making a decision in favor of converting the property to commercial use or if Council is not in favor of that explain to the applicant why they are not in favor of the conversion of zoning. Whether it is Waterway or something else is a future discussion because there has been no presentation to the Planning Commission at all about Waterway or any other development there. Although Waterway did come with Mr. Weiser because Mr. Weiser thinks Waterway would be the best use and with the way the site is configured it would fit the Waterway development. The drawing shown and that was computer generated is the only information that the City has. Mayor Infeld said the question before Council is the same as it is for any Planning Commission recommendation; that Council has received a recommendation from the Planning Commission with supplementary information from the City Engineer addressing that recommendation. Mayor Infeld added that she thought Council needs to make a decision based on the information presented.

Ms. English stated that she agreed with Mayor Infeld in some aspects and that Council is losing focus of the issue that is before them. Ms. English noted she appreciated Waterway coming in and disclosing their intent to come forward with plans for a facility, but, the development is not before Council at this time. Ms. English stated the only issue before Council is the rezoning of the land. Cedar Green Associates / Mr. Weiser has been land banking for years so that they could expand their commercial property and they should be allowed reasonable use of the land and in order to do that the property must be rezoned. Ms. English continue to say after the

rezoning is complete and in order for Waterway to even exist there must be a lot split and consolidation approved by the Planning Commission and Council. There must be a development plan approved by the Planning Commission and City Council and the Council must also approve the demolition of the houses once the development plan is approved. So Council will have sufficient opportunity to have input on what will happen with the rezoned property. Ms. English encouraged her colleagues to stay focused on the issue before them and to move forward with the rezoning.

Mrs. Pardee added that she liked everything she heard; the plans are very interesting and exciting, loved the idea that Mr. Weiser wants to update the plaza and very interested in a master plan. Mrs. Pardee agreed with Ms. English in not getting off track, the issue before Council is the rezoning of the listed properties to commercial property. Mrs. Pardee stated her problem was that she hadn't been in conversations with Mr. Weiser for those 5 years, wasn't aware of the land banking of homes and had not had time to review the traffic study so she would not even know what questions to ask regarding the traffic study. Mrs. Pardee stated that the consideration of traffic in that busy corner is important when talking about rezoning to commercial. Mrs. Pardee noted she was very interested that the other Mayors felt this was ok with some minor changes around Fenway. Mrs. Pardee stated she did know her colleagues thoughts but would be happy to go ahead with the vote but would also like to be able to read the traffic study even though it would delay things by a few weeks. The traffic study does have a lot to do with going commercial because something will go in there. Mrs. Pardee asked if this item isn't sent to committee could it be table until the next meeting allowing Council more time to review the traffic study. Mrs. Pardee stated that Waterway representatives would not need to be present.

Mr. Ertel stated he would like more time.

Mayor Infeld recommended that Council tabled this item but give the applicant a sense of how much time they would need to review the traffic study. Mayor Infeld noted that the Council should be comfortable in making their decision and that it is typical for the Mayor to talk to developers about upcoming projects but until something really sticks the City doesn't know what will become an actual development and this is one of those cases.

Mr. Ciuni noted that the traffic study is specific to Waterways. The property can be rezoned, can become commercial and can become something else. In that case if it's not Waterway another traffic study would have to be done and presented. The issue is the rezoning.

Mrs. Pardee thanked Mr. Ciuni and commented that that was understood, but as Mr. Wiseman stated if it's not a Waterway, it could be a Wendy's or Buffalo Wild Wings, etc., so Council can assume that there will be traffic. The traffic study has something to do with some level of traffic that is coming in and out and can help Council understand what that will look like on the proposed piece of land when it's zoned commercial. Mrs. Pardee added she would be happy to vote in two weeks and asked her colleagues how they felt.

Mrs. Cameron asked if anyone, i.e. Mr. Ciuni or anyone else presented what the benefits pros or cons of making a zoning change regarding the parcel numbers, splits and the consolidation would be.

Ms. English replied that the pros that were discussed were increase property taxes and most important to the City the increase in city income taxes. Another pro would be bringing more business into the city. In terms of the cons, traffic was talked about a little bit and Waterway did explain their project in brief details. The Planning Commission did not enter into a long decision because the Waterway project was not before them.

Mayor Infeld added that this is a commercial area in the city and this is the point where the city begins or ends depending on which way you are traveling on Cedar Road. There are four unsightly homes next to a commercial area that Mr. Weiser wants to revitalize; the revitalization would likely begin with the introduction of a business at the site of those four homes. So besides providing lots of part-time jobs for high school, college kids and other job seekers it provides a new different type of job to the community.

Mrs. Pardee stated personally as an elected representative she needed to be very sure on what she is voting for. There was a Planning Commission recommendation; she wanted to be very sure and again she didn't have time to review the traffic study and would be happy to vote in two weeks.

Mr. Wiseman stated he was struggling with the decision that has to be made not because he has a problem with Waterways or with Mr. Weiser desire to develop the land, because Mr. Wiseman noted the land should be developed but the traffic study was written for Waterways, the agenda says the application is by Waterways. Mr. Weiser stated he didn't want to pretend that this is just a rezoning decision and maybe it will be a Waterway. Mr. Wiseman commented that Mr. Weiser stated that he would probably put BP out of business, so while we are increasing business in one place Mr. Weiser stated there would no longer be a gas station on that corner and that's where BP is.

Mr. Weiser replied that BP is going out of business anyway, whether there's a Waterway or not.

Mr. Wiseman stated that this is something that Council needs to weigh. The only facts that Council asked was what were the tax implications and the specifics of this many employees, this much taxes. Mr. Wiseman said that the number of 3 management employees was provided but there were no specific numbers and that's what Mr. Wiseman wanted to figure out. Mr. Wiseman continued to say that the houses are unsightly homes but are unsightly because the owner brought them and let them stand empty and didn't maintain them as residential homes. Mr. Wiseman agreed that the house need to come down but that is not a reason to do a Waterways. Mr. Wiseman further stated he doesn't know what his questions are and what he could use to consider it. Mr. Wiseman felt this should be referred some place, this is one of the busiest intersections in the City and Waterway business model relies on traffic jams. Mr. Wiseman stated he didn't want to create something because Council feels pressure to go in a hurry where it going to create more of traffic jam. Council has every right to say they need more time and we don't know how much time we will need because we have serious concerns because we are the ones being asked to vote and approve of this thing.

Mayor Infeld stated that it is normal for the Council to attend the meeting when large City meetings happen, i.e. Board of Zoning and Planning Commission and when they contain topics such as new development. The project was before the Planning Commission at the end of August and to the Council mid-September. So now it's been 6 or more weeks for Council to consider this application. Mayor Infeld recognized and noted that from the comments she heard it sounded like Council wasn't ready to make a decision. Mayor Infeld clarified that there is an obligation on the part of the Council when there are large development projects to make their selves available if they so choose to learn all the details in the process. The best way to do so would be to come to the Planning Commission meetings to hear the presentations first hand.

Mr. Weiser commented this is about his desire to make the area much better and admittedly he didn't put a lot of money into the houses because he doesn't see that the house serve a realistic purpose and benefit to the City at this point.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to table the Approval of Planning Recommendation regarding the CESO / Waterway Gay & Wash Company and Larry Weiser's application to rezone parcel numbers 721-18- 005, 721-18-006, 721-18-007, 721-18-008, 721-18-009, and 721-18-049 from the current U-2 (two-family residential district) to a U-7 (Local Retail District) and the rezoning of 721-18-010 from the current U-3 & U-8 (automobile parking district/shopping center district) to a U-7 (Local Retail District). On roll call, all voted "aye," except Mr. Wiseman who voted "nay"

D. Ordinance 2014-30 Authorizing the Transfer of Funds from the General Fund to Street Fund (201), Street Lighting (204), Capital Projects(401), Police Pension (601), and Fire Pension (602) (first reading)

Mr. Heiser stated that this is the last transfer of the year of the remaining amounts of transfers from the General Fund to the other funds.

Ordinance 2014-30 was placed on first reading.

E. Resolution 2014-31 Authorizing the Mayor to accept from the Federal Emergency Management Agency an Assistance to Firefighters Grant in the amount of \$206,008.00 for the purchase of Rescue Equipment, Computer Equipment and Various Health and Wellness Items (second reading)

Mayor Infeld reminded Council that at the previous Council meeting Lt. Perko came and explained the various rescue equipment, computer equipment and health/ wellness items the grant was for.

MOTION BY MRS. ZUCKER, SECONDED BY MS. ENGLISH to approve Resolution 2014-31 Authorizing the Mayor to accept from the Federal Emergency Management Agency an Assistance to Firefighters Grant in the amount of \$206,008.00 for the purchase of Rescue Equipment, Computer Equipment and Various Health and Wellness Items. On roll call, all voted "aye."

F. Ordinance 2014-32 Amending and Modifying Codified Chapter 236.06 (c) Auxiliary Police Unit; Qualifications of Members (second reading)

Mr. Ertel stated that Ordinance 2014-32 would make it easier for auxiliary members to remain members and for the Police Department to recruit members.

Mrs. Zucker asked if she should excuse herself since her husband is a member of the police auxiliary.

Mr. Coyne recommended she abstain even though her husband is not paid in his function as a police auxiliary member.

MOTION BY MR. ERTEL, SECONDED BY MRS. PARDEE to approve Ordinance 2014-32 amending and modifying Codified Chapter 236.06 (c) Auxiliary Police Unit; Qualifications of Members. On roll call, all voted "aye," except Mrs. Zucker who "abstained."

**G. Ordinance 2014-35 Authorizing the Mayor to Enter into a Contract with Minute Men Staffing for the Purpose of Assisting the City Service Department with Curb Side Leaf Collection. (second reading)
(1:16)**

Mayor Infeld stated that the City's annual curbside leaf collection is scheduled to start on Monday, October 15 and for decades the city has used the services of minute man temporary workers to assist in the collection of leaves. Due to the volume and pace in which the leaves fall the regular city service department is unable to manage it without help.

Mrs. Pardee asked if the time could be extended through the end of 2014 or if it was for the specific time period that was listed. Mrs. Pardee also asked to add 2014 to the ordinance.

Mayor Infeld wondered if inserting the year 2014 wouldn't be redundant or even necessary since the Law Director stated that all such contracts have to come to the Council annually. If the city were to enter into a contract with Minute Men for any other purpose, the Administration would have to come back to Council for approval.

Mrs. Pardee stated she had been contacted by concerned residents and asked if the City conducts background checks on the individuals and if they go into the backyards or just stay on the curb and in sight.

Mayor Infeld replied that anytime the City hires workers who go on the property of residents, such as rubbish collectors, fire and police, housing inspectors all have background checks done on them. The individuals from Minute Men are assigned to assist a service department employee in the collection of leaves; they are simply using rakes to rake the leaves into piles. The City employees are handling all the equipment and trucks. Therefore background checks are not performed because the Minute Man people are out in the streets with the service workers and do not go into the backyards.

Mr. Wiseman commented that the people for Minute Men are travelling with city employees going up and down the streets during hours of the morning and evening. Mr. Wiseman stated in his mind there's no distinction between going to the backyards or staying in the front with the leaf blower truck. Can the city ask Minute Men to conduct background checks on the individuals they send to us.

Mayor Infeld replied that Minute Men doesn't conduct the background checks, University Heights conducts the background checks. Mayor Infeld noted and asked for clarity in Mr. Wiseman's concern of having someone who was a convicted felon or someone with some sort of issue being in the city what so ever.

Mr. Wiseman clarified his concern to the Minute Men working for the city and their air of authority and affiliation when someone shows up with a city truck and starts doing city business. Mr. Wiseman stated the paramount concern is keeping the residents as safe as possible.

Mayor Infeld emphasized that the persons sent by Minute Men are working for and employees of Minute Men and that the City contracts with Minute Men to supply them to our City to help with the raking of leaves.

Chief Hammett commented that typically when an employee or contracted employee is brought in for a background check the Director from that specific department sends a list of names and those names are run through OHLEG (Ohio Law Enforcement Gateway). In summary the Police Department typically conducts a preliminary background check to determine whether or not they have been convicted of a felony or violent misdemeanor.

Mr. Wiseman asked if that was done with the Minute Men staff when they show up.

Chief Hammett stated when Mr. Pokorny, Service Director sends over a list of names he does not ask what they are for, he just conducts the background check. Chief Hammett said they may have done some of the Minute Men but didn't believe every single one would have a background check.

Mr. Wiseman asked what would be the cost, time and money associated with OHLEG reports.

Chief Hammett replied that the reports are done internally and cost 10 minutes of a detective's time per name. Chief Hammett stated it would be difficult for the police department to conduct checks the same day; they would need 1 to 2 days notice.

Mayor Infeld pointed out the Minute Men can send different people every day. If the city has a problem with someone we send them back and tell them that they cannot work here. So there is a practical aspect to this. The crews are made of three people; two people from Minute Men and one full time city employee. The Service Director and Assistant Service Director check on the leaf crew daily.

Mr. Wiseman asked if there was another way, could these be jobs that possibly college students would be able to do, if it's a temporary situation. Is there another staffing company that conducts background checks.

Mayor Infeld replied that Mr. Pokorny has checked with other staffing agencies, but the Administration does not believe there is another comparable agency that provides the type of muscle work that Minute Men will do. There are office temps and people who do white collar temporary work, but to the city's knowledge there's no other temp agency that will offer the muscle power for this type of work.

Mr. Coyne noted that the issue of background checks could be looked into and if Minute Men would provide the background checks.

Mayor Infeld commented that yes, college students would be capable of doing this type of work but how would they be able to go to class. The city needs people raking leaves for the entire time period of almost 2 months. Mayor Infeld also noted that a certain amount of money has been budgeted for temporary staff to help with leaf collection.

Mrs. Pardee confirmed when the Minute Men go out they are always with a crew member from University Heights and stated she appreciated being concerned and vigilant but also appreciated given people who have a change to work when they are down and out.

Mayor Infeld replied that it would always be a group of three comprised of one city employee and two minute men.

Mr. Ertel commented that it is a difficult situation and in his experience there is not any other organization in town that offers man power at a moment's notice on an ongoing basis like Minute Men. Mr. Ertel offered that it may bolster Council's confidence if they were to look at some of the other organizations that employ Minute Men services, for example the Indians use their service to clean the stadium after games.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to approve Ordinance 2014-35 Authorizing the Mayor to Enter into a Contract with Minute Men Staffing for the Purpose of Assisting the City Service Department with Curb Side Leaf Collection. On roll call, all voted "aye," except Mr. Wiseman who voted "nay."

H. Ordinance 2014-36 Adopting a Policy Whereby The City of University Heights Employee Pay is Required to be Issued to a Financial Institution via Direct Deposit (Ach Automated Clearing House) (second reading)

Mayor Infeld reported that this would be a new policy where all employees would be paid electronically into their personal bank accounts and that 1st Merit has offered to open free checking accounts for any city employee that needed a checking account. Mayor Infeld noted that this is being done as a safety measure.

Mr. Heiser replied that he didn't see a problem with compliance by the city employees because prior to this there were 7 employees receiving hard checks now the number is down to 5 employees.

MOTION BY MRS. CAMERON, SECONDED BY MRS. PARDEE to approve Ordinance 2014-36 Adopting a Policy Whereby The City of University Heights Employee Pay is Required to be Issued to a Financial Institution via Direct Deposit (Ach Automated Clearing House). On roll call, all voted "aye."

Mayor Infeld asked Council for a motion to add a change order for the 2014 Street Resurfacing Contract with Shelly Construction to the agenda.

Motion by Ms. English, Seconded by Mr. Ertel to add a change order for the 2014 Street Resurfacing Contract with Shelly Construction to the agenda. On roll call, all voted "aye."

Mayor Infeld stated that the City is still adding to the Street Program in trying to address the condition of the streets as long as the weather hold out and that there are funds available to add to the street program. Mayor Infeld reported that the street near Canterbury School the hill that extends down to Meadowbrook and rises back up towards the school is in bad shape on both sides.

Mr. Ciuni reported that this was bid in the job as general large area repair patching where it is a surface repair and that this is an area that constantly needs to be maintained. Mr. Ciuni reported that all the monies that was approved for the Shelly contract has been used so a change order in needed for this repair. Mr. Ciuni recommended approval of the change order if funds are available and that the work be done this year.

Mr. Heiser replied that the funds are available in the emergency street repair fund.

Mr. Wiseman asked Mr. Ciuni if Canterbury Road was originally bid as a repair or patch job.

Mr. Ciuni stated that the City didn't list any specific locations they were just bid as large area repairs with a guarantee of at least one lane wide and 50' – 100' in length. The language in the bid stated it was to be determined by the Engineer and Service Director once the contract was awarded.

Mr. Wiseman asked Mr. Heiser how much money is left in the Emergency Street Repair Fund.

Mr. Heiser stated \$100,000 was budgeted and after the approval of this change order there will be approximately \$15,000.

MOTION BY MS. ENGLISH, SECONDED BY MRS. ZUCKER to approve and authorize Change Order #2 to the 2014 Street Resurfacing Program for large area repairs on Canterbury Road from East Scarborough to Meadowbrook Boulevard and from Meadowbrook Boulevard to Northcliffe Road in the amount of \$55,000 to be paid to the Shelly Company. On roll call, all voted "aye."

I. Motion to Approve and Award 2014-2 Tree Pruning and Removal Bid Contract

Mayor Infeld reported that Mr. Pokorny provided everyone the tabulations of all the bids which were received. Four tree companies provided the following bid amounts for the project: Ardmore Tree Service \$88,235.00; Tree Service Now \$74,050.00; National Tree Service \$61,541.00 and Vallo Tree Service \$36,129.50. The lowest bidder was Vallo Tree Service in the amount \$36,129.50. The recommendation from the Service Director is that the bid be awarded to Vallo Tree Service as the lowest and best bid. Mayor Infeld noted that Vallo Tree Service performed this same work for the city last year and Mr. Pokorny felt they did a very good job. Mayor Infeld also stated that the City's Arborist personally reviews every single tree in the identified zones of University Heights and then assigns a prescription to each tree for either removal, trimming or no work needed.

Mrs. Pardee question the last page of the report there are four items noted where it list location to be determined in the removing, grinding stumps and restoring the area, are these placeholder assuming stump grinding would be needed.

Mayor Infeld replied that built in to these contract are always quantities for additional trees to be pruned and additional removal projects. Mayor Infeld reported that reports that Mr. Pokorny provides helps the city keep track of the trees and the work that done to them and allows the city to maintain its status as a Perennial Tree City USA community.

MOTION BY MR. ERTEL, SECONDED BY MR. WISEMAN to approve and award 2014-2 Tree Pruning and Removal Bid Contract to Vallo Tree Services, LLC of Chardon, Ohio in the amount of \$36,129.50. On roll call, all voted "aye."

J. Motion to Approve and Award 2014-03 City Wide Fall Tree Planting Bid Contract

Mayor Infeld reported that bids were received from two companies with the following bid amounts for the project: Nate Johnsons Landscape \$11,680.00 and The Greenleaf Group \$12,362.00. Mr. Pokorny recommended that the Tree Planting Contract be awarded to Johnsons Landscape as the lowest and best bid in the amount \$11,680.00.

Mrs. Pardee asked about the listing of 8 trees on the Kerwin yard.

Mayor Infeld replied that the Kerwin yard is the city's holding site and those are the extra 8 trees that will be planted once they are assigned an address.

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to approve and award 2014-03 City Wide Fall Tree Planting Bid Contract to Johnsons Landscape in the amount of \$11,680.00. On roll call, all voted "aye."

K. Motion to Approve Upgrading the Mechanics Bay Garage Lighting

Mayor Infeld reported that this project is necessary for better working conditions in providing better lighting for the mechanics as they make repairs and with the installation of these items will be more energy saving for the city. Mayor Infeld referred to Mr. Pokorny's memo that listed the items to be replaced. The upgrade would replace four existing T-12 lighting fixture bulbs with six T-5 lighting fixture bulbs, reducing power consumption for each fixture by approx. 340 watts but have increased the light output. Mr. Pokorny obtained quotes from three electrical supply companies: Gatto Electric Supply \$7,777.35; Mars Electric Company \$7,822.72 and Pepco Professional Electric Products Supply Company \$9,774.24. Mr. Pokorny recommended that the purchase of the new lighting fixtures for the Mechanics bay garage be purchased as the lowest and quote from Gatto Electric Supply in the amount of \$7,777.35.

Mr. Heiser confirmed that there are funds available for this purchase in the Capital Improvement 401 Fund.

MOTION BY MRS. CAMERON, SECONDED BY MS. ENGLISH to approve the purchase of the new lighting fixtures for the Mechanics bay garage from Gatto Electric Supply in the amount of \$7,777.35 for the purpose of improving and upgrading the mechanics bay garage lighting.

L. Resolution 2014-37 Authorizing Payment in the Amount of One Hundred Fifteen Thousand, Seven Hundred Eighteen Dollars (\$115,718) to the Northern Ohio Risk Management Association Self-Insurance Pool, Inc. (N.O.R.M.A.) and Declaring an Emergency

Mr. Heiser explained N.O.R.M.A. and their billing process. Mr. Heiser reported that N.O.R.M.A. is administered by Wickered Insurance and serves many cities and is also audited.

Mrs. Pardee asked if the term was October 1 – October 1.

Mr. Heiser replied yes.

Mr. Wiseman asked how are the percentages of contributions from each city figured out, is it based on population.

Mr. Heiser answered it calculated by population per square mile, budget, exposure, the number of police and fire. There is a Pinnacle actuary report provided each year.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to approve the passage of Resolution 2014-37 authorizing payment in the amount of One Hundred Fifteen Thousand, Seven Hundred Eighteen Dollars (\$115,718) to the Northern Ohio Risk Management Association Self-Insurance Pool, Inc. (N.O.R.M.A.) and Declaring an Emergency. Roll call on suspension of the rules, all voted “aye,” Roll call on passage all voted “aye.”

M. Resolution 2014-38 Authorizing the Mayor to Seek Financial Assistance from the Ohio Public Works Commission (OPWC) State Public Works Program to fund Washington Boulevard Rehabilitation Project and Declaring an Emergency

Mr. Ciuni reported that this is the annual application for Ohio Public Works Commission funding (dba Issue 2). Last year the city applied for this section of Washington and also Silsby Road but in the meantime we paved Silsby Road so this application is only for the section of Washington Boulevard from Warrensville Center Road to East Carroll Boulevard. Mr. Ciuni stated that last year the city made it to the contingency list but hopes we will be in the running for receiving assistance, if awarded the funds would be available July 1, 2015 and we will know our scoring by the end of 2014. The last time Washington was paved it was done with Ohio Public Works money back in 1994.

Mr. Coyne asked if there is a matching requirement.

Mr. Ciuni stated that is all contained in the scoring system. The more money that put in the more points you receive, the minimum is 10%.

Mr. Wiseman asked Mr. Ciuni if there was some sort of way in which that intersection (Washington, Miramar and Meadowbrook) could be improved regarding the traffic flow.

Mr. Ciuni answered that the monies from Ohio Public Works is for rehabilitation only, what Mr. Wiseman is asking would be considered new work.

MOTION BY MRS. PARDEE, SECONDED BY MS. ENGLISH to approve the passage of Resolution 2014-38 authorizing the Mayor to seek financial assistance from the Ohio Public Works Commission (OPWC) State Public Works Program to fund Washington Boulevard Rehabilitation Project and Declaring an Emergency. Roll call on suspension of the rules, all voted “aye,” Roll call on passage all voted “aye.”

N. Resolution 2014-39 Authorizing the Mayor to seek financial assistance from the Cuyahoga County Department of Development/Planning Commission to fund an updated City of University Heights Master Plan and Declaring an Emergency

Ms. Ellis reported that this is in effort to apply to the Cuyahoga County Department of Development/Planning Commission for funds that are available where the county would help municipalities develop a master plan. To be eligible to apply the community cannot have a master plan or it is older than 10 years. The University Heights master plan was completed in 2003. Ms. Ellis noted that \$150,000 has been allocated for the entire project and the individual awards will depend on the size of the community and their needs.

Mayor Infeld explained that the grant is not money but the Cuyahoga County Department of Development has contracted with the County Planning Commission to provide master planning services to communities.

Mayor Infeld suggest that as Council considers making the motion that the title of Resolution 2014-39 change to read "A Resolution Authorizing the Mayor to seek master planning/financial assistance from the Cuyahoga County Department of Development/Planning Commission to fund an updated City of University Heights Master Plan and Declaring an Emergency" and change the sixth whereas clause to read "WHEREAS, the City of University Heights is eligible to apply for Master Planning Assistance/Funding because its most recent Master Plan was completed in 2003; and"

Mayor Infeld stated that this is being presented on emergency because of timing and deadlines. The Administration is finding that grants are being made available with very short windows of time to apply.

Ms. English asked when will the City hear if it has received the award.

Ms. Ellis replied she doesn't know the date, but it will be awarded before the end of the year.

Mrs. Cameron asked if this is subject to Cuyahoga County Council approval.

Ms. Ellis stated no and that it is the County Planning Commission Committee that will be reviewing the applications and making the decision on who is awarded.

Mayor Infeld responded that the Cuyahoga County Council has already appropriated the funds for the Department of Development to enter into contract with the County Planning Commission.

MOTION BY MRS. CAMERON, SECONDED BY MS. ENGLISH to approve the passage of Resolution 2014-39 A Resolution Authorizing the Mayor to seek master planning/financial assistance from the Cuyahoga County Department of Development/Planning Commission to fund an updated City of University Heights Master Plan and Declaring an Emergency. Roll call on suspension of the rules, all voted "aye," Roll call on passage all voted "aye."

O. Resolution 2014-40 Establishing a Policy in the City of University Heights for the submission of grants (first reading)

Mayor Infeld stated she was introducing the Resolution as a policy for the City because with the grants funding opportunities that in the County's efforts to reward regional projects that there are times when grant funding were points awarded to a project will be more heavily weighted towards projects that are submitted by two cities. In Mayor Infeld estimation there a little bit of a loop hole that may have the City in the position of being named by another City as part of a grant application without the City's ok, and currently that could happen. As the City move forward and start applying for new and alternative types of funding; sometimes the city will have partners, sometimes we won't but it is a good idea to memorialize how the City will apply for funding. In summation no grant submitted in the name of the City of University Heights can be submitted without the review and authorization of the City Administration. Mayor Infeld stated that she just wants to protect the city and make sure that as the city applies for funding there is a central place of review.

Mrs. Cameron commented that with this policy the City wouldn't have been able to receive or the Lt. in the Fire Department would not have been able to submit for the grant he received on behalf of the City. Mrs. Cameron asked Mayor Infeld if that was the type of thing she wanted to avoid.

Mayor Infeld responded that anytime a grant is submitted in the name of the City, the City Administration as the responsible party for administrating the funds should be looking at the grants. The City will have more opportunities for grant applications because it is reinvigorate the 501(3)(c), once that happens there will be access to funding sources that we don't currently have. Mayor Infeld gave the example of the Master Plan funding application, if we were to join together with another City, the Administration believes that the funding for such a joint application would probably be more favorable all other things being equal. If one of our neighbors were to apply for this same funding and say there was a shared project that they were working on with University Heights and if we did not have knowledge of that and it were submitted in addition to us submitting a project, we would probably cancel ourselves out.

Mayor Infeld also noted that the City has hired Libby Ellis who is principally writing our grants and she will be managing and overseeing all grants submitted by the City.

Ms. English asked Mr. Coyne if there was a grant application for a joint project; wouldn't the City have to approve that before it could be submitted.

Mr. Coyne replied that the Mayor's concern as he understood it relates to there being so much collaboration being encourage by different organizations from Foundations to the County Government that an adjacent community may apply for a couple of different communities and included University Heights' name and that could then be a issue if the City was trying to apply for something separately. Mr. Coyne noted that he would think a community would contact the Mayor before they did something but it is possible that that might not happen.

Ms. English commented that in those cases usually as part of the application process there is supposed to be legislation from the City.

Mr. Coyne replied that not for all grants.

Mayor Infeld stated that most of the grants that the City applies for don't require legislation. The County requires legislation for certain but not all grants.

Mr. Wiseman commented that when you apply for a grant and you are collaborating with company "a" "b" and "c" the grantor will require a letter from company a, b and c, if they are diligent and want information. Mr. Wiseman questioned if this is a internal City procedure and Council passes this law that says University Heights grants need to have University Heights names and Beachwood apply for a grant in our name, the University Heights laws don't affect Beachwood. How does this protect the City, has there been internal situation where a city employee applied for a grant.

Mayor Infeld again stated that times are different and there is an inference on a lot of collaboration.

Mrs. Pardee stated that at first brush she was all for this because nothing should be done on the behalf of the City in terms of grants or grant applications that she is not aware of and doesn't approve, there is no question about that. As the top Administration the Mayor has the final say, but Mrs. Pardee noted that if it is a internal issue that could be a policy.

Mayor Infeld stated that she is just trying to be proactive and again this policy is because of the push towards collaboration and grant monies are scarce.

Mrs. Cameron asked Mayor Infeld if she had something in mind to include in the format of this policy from the City Charter.

Mayor Infeld responded no, because she thought most city charters would have something similar to University Heights' Charter.

Mr. Coyne noted that it makes sense to have a policy.

Resolution 2014-40 was placed on first reading.

P. Resolution 2014-41 Permitting the City Administration to sell through Public Internet Auctions, Personal Property, including Motor Vehicles acquired for the use of Municipal Officers and Departments, and Road Machinery, Equipment, Tools, or Supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2014 (on emergency)

Mayor Infeld stated this is on emergency because she would like to place the City's third ambulance on Gov.deals to allow the City to see what the market will give for that vehicle.

Mrs. Pardee asked if in section 5 where it states bidding shall continue for no less than 15 days, is that calendar day or work days.

Ms. Waxman responded that it is calendar days.

Mayor Infeld stated that per Ohio Revised Code requires that if the City goes through in internet auction such as gov.deals Council approval is required. Mayor Infeld reported that there is not a big after market for this type of equipment.

Mr. Ertel asked if the City is committed to selling the ambulance if an entity bids on it.

Mayor Infeld not if we don't like the price.

Ms. Waxman added even if the bidder bids the minimum the City is not committed to except it.

Mr. Ertel asked why isn't the City just donating the ambulance to East Cleveland?

Mayor Infeld stated that 3 weeks ago when Fire Chief Zook brought that idea to her attention as an option, she wanted to get feedback from the Council because it was unusual for the City to donate a working piece of equipment, even though it has a long list of needed repairs. Mayor Infeld noted that she was merely looking for feedback and at the same time the City was finding out what the scrap value of the ambulance was and also how much ambulances were going for on gov.deals. Mayor Infeld stated the City could still donate the ambulance to East Cleveland but that she wanted to see if there is a market for it. That was the Mayor could inform the community that the Administration did try to sell it.

Mr. Heiser commented that there is an identical ambulance on gov.deals in Coshocton.

Mayor Infeld noted if it doesn't sell then she will determine the next steps. The Mayor noted that she was well aware of her authority. It is very limited in that as Mayor she has the authority to set the value and also to disposal of used and spent equipment but only up to the value of \$5,000 but only if the value is less than \$2,500 can the Mayor disposal of the equipment, if the value is between \$2,500 and \$5,000 she has to come back to Council.

Mr. Wiseman stated he conducted a little research and discovered ambulance trader.com where the market seems a little higher than was discussed at the last Council meeting and may be more competitive than gov.deals.

Chief Zook stated that ambulance trader.com is a private sells site. Similar to placing a ad in the Plain Dealer. Chief Zoon noted that he didn't believe municipalities are permitted to sell items in this way.

Mr. Heiser commented that cites such as ambulance trader purchases items from gov.deals, fixes them up and then resells them. So then that is their resale price.

MOTION BY MR. ERTEL, SECONDED BY MRS. CAMERON to approve the passage of Resolution 2014-41 Permitting the City Administration to sell through Public Internet Auctions, Personal Property, including Motor Vehicles acquired for the use of Municipal Officers and Departments, and Road Machinery, Equipment, Tools, or Supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2014 and on emergency. Roll call on suspension of the rules, all voted "aye," Roll call on passage all voted "aye."

Q. Resolution 2014-42 Authorizing Administrative and other expenses be paid and necessary City Council approval for other written contracts, expenses or services (on emergency)

Mrs. Pardee stated that Resolution 2014-42 is the result of a recommendation to Council from the Joint Finance Committee and Finance Advisory Committee. Mrs. Pardee recognized a few members from the Finance Advisory Committee that were present; Mike Bohan, Michelle Wise and Tom Finucane. The Committees met together on September 18 and came up with a recommendation to resolve some of the questions concerning Chap 212, the contracting procedures area. Mrs. Pardee stated there were a few items that need correction in the Resolution; first the Resolution was not intended to be on emergency, it was intended to be on first reading so that both Council and the joint committee could review it further. Secondly in section five the word "regional" was deleted, so that it would read "ongoing shared service contracts" the language in excess of \$5,000 was also added but that was fine as far as Mrs. Pardee was concerned.

Mayor Infeld asked Mrs. Pardee if the intention was for the Resolution to be on first reading at this meeting and then had the second reading in two weeks at the next Council meeting.

Mrs. Pardee replied that was correct.

Mayor Infeld asked for an example of what ongoing shared contracts would be.

Mr. Coyne gave the example of shared salt with Cleveland Heights, or shared services/agreements with other entities over \$5,000.

Mayor Infeld asked about the "Edge" contract, does Council need to see a contract every year.

Mrs. Pardee asked if the City signs a contract every year, if not then when the contract comes up it would be brought to Council. Mrs. Pardee clarified it to mean ongoing shared service contracts in excess of \$5,000 in value as they come up.

Mr. Coyne commented that for example if there is a three year contract it would come before Council at the initial year 3 years and then at the point of renewal.

Mayor Infeld asked how does the Finance Committee see this duck tailing with the Law Director's idea that the City should be signing contracts. Because the Administration has contracts that are being submitting with all invoices as they come into the City.

Mrs. Pardee stated she would refer that question to the Law Director because Council never asked for that to happen. Council asked for clarity about what a contract is and in response members of Council on the Finance Committee had to go back to the Finance and Finance Advisory Committee to work this out. Mrs. Pardee stated that this Resolution was a response to the questions that arose, both committees worked with the Law Director on September 24 and he was fine with this as a Resolution to clarify Chapter 212.

Mr. Coyne responded that there was no clarity on some of the day to day operations of the City as it relates to invoicing so Section 8 was meant to address that so there's a provision that states that "services authorized here in effect the day to day of the municipality". This goes more to written contracts and for the rest of the year everything that there has been discussions for would be paid, all invoices going forward. So, if the Administration still wants to choose some of these vendor contracts for example, they could still do that and have files set up for that, but it would be anything in excess of \$5,000 as expressly stated in Resolution 2014-42.

Mayor Infeld commented that the Administration needs guidance from the Law Department not from the Council and asked Mr. Coyne when he said if the Administration chooses to enter into contracts it up to them (Administration) to do that. Mayor Infeld continue to ask Mr. Coyne to clarify his previous advice saying that it would be a good practice for the City Administration to adopt that, now Mr. Coyne are you saying it's up to the Administration to choose whether to do that. Mayor Infeld stated she was referring to Mr. Coyne's advice to the Administration to enter into contracts with everybody the City does business with.

Mr. Coyne replied if you know there are expenses over \$5,000 with any entity it would seem to make sense to have that moralized in a contract if you could. But, at the same time if there are invoices that you get, normal operating expenses and invoices to be paid by the Finance Director that would seem to be something that Council in this Resolution is saying to continue to pay, so you don't have to keep coming back to Council to make those inquiries.

Mrs. Cameron commented in other words if the Administration can pay for paper but if they have to buy pool chemicals or salt for the road it has to come before Council.

Mayor Infeld stated that the policy is not clear, if that is the case then Council has to list the products, you can't pick and choose and say the Administration should know something is ongoing. If the Council's intent is to change the way the \$5,000 is looked at then the Mayor thought there had to be more specificity.

Mr. Coyne explained and read the section under the "now therefore clause" that reads General Fund Expenses and the Approved Budget; current utilities bills, invoices, current normal operating expenses and invoices shall be paid by the Finance Director for the remainder of 2014 and on an annual basis thereafter, shall not need Council approval. If the pool maintenance items are on the approved budget, it would seem that you (Mayor Infeld) don't have to engage Council.

Mr. Wiseman commented that under this Resolution, if pool chemicals are approved in the general fund when the budget is set and it is a normal operating (in Mr. Wiseman view) expense and is under \$5,000 Council does not approve that.

Mayor Infeld stated that her problem is that it may be normal operating in one Councilperson's mind and not in another's.

Mrs. Pardee remarked that the Resolution does not say "normal operating" it says "general fund expenses," in the approved budget. Mrs. Pardee stated that she, the Finance Committee and the Finance Advisory Committee thinks the Resolution is very clear. Mrs. Pardee further stated that this should have never been an issue because Chapter 212 was very about contracts that are typically written and signed and if over \$5,000 goes to Council for approval. If the Administration has any questions they can work with the Law Director because the Law Director understands and approves this Resolution as well.

Mayor Infeld asked Mr. Heiser if he had any questions.

Mr. Heiser stated he was curious about the Director's Salaries and Benefits because that was never part of this. The City passes a wage ordinance and until that wage ordinance changes nothing changes in that wage ordinance, now there is a different ownest in this that added. Mr. Heiser stated he wasn't aware that the Finance Advisory discussed the wage piece of the puzzle.

Mayor Infeld remarked that this whole piece began because the City had a pattern of operating that the Council didn't agree with. And that was when something was passed, if there was no change it just remained. Mayor Infeld stated she realized that Council didn't like that practice and came up with this Resolution.

Mr. Coyne stated that he was presuming that this Resolution would address if you (Administration) is going outside the ranges (salary). When Council approves the ranges for cabinet positions if it is within the range the Mayor has the discretion for hiring that person within that range. Mr. Coyne gave the example of say the Finance Director, Service Director, etc. leave and then the Mayor wants to hire a new director in that position, if they are outside of that range then Mr. Coyne thought the Mayor would have to come back to Council for approval. If they are not outside that range then Mr. Coyne doesn't think the Mayor would have to come back to Council.

Mrs. Pardee noted that some of those things already occur, for example Council sees the Union Contracts. What Council wanted to ensure was that Council didn't all of a sudden stop seeing certain things because they weren't named. Council wants to ensure that they see such as salaries, benefits, union contracts would continue because of course they are in the general fund. And Council has named the general fund as being something that the Mayor would be administrating without Council having to see it.

Resolution 2014-42 was placed on first reading.

R. Discussion of Vendor Contracts and Companies doing business with the City

Mayor Infeld stated that the Administration is still getting signed contracts and keeping copies of them. This was at the advice of the Law Director as being a good practice that the City Administration should follow. Mayor Infeld commented that she did not want Council to get mixed up about this and Chapter 212 because if the Law Director believes that that is the way the City should be operated, the City will continue to be operating that way. It is somewhat of a moving target for the Administration to determine when something is going to reach or go over \$5,000. Sometimes it is hard to predict if something will go over the \$5,000 based on past practice. Mayor Infeld stated she guessed the Administration will have to work on that and will do their best and will continue to do that. If anyone wants to see a list of any company that the City does business with, there is a binder with all the signed contracts. And as the City continues to get invoices, the City will send the contracts out.

Mr. Coyne commented that it is a practice and that the City has a record of it. Mr. Heiser has a file that has the contracts and provisions. There is no downside to having such a file, it could be to the City's benefit.

Mayor Infeld stated this will be redone starting January 1, as invoices come in, they will be known as the 2015 version.

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

Mayor Infeld stated there was a need to hold an executive session to talk about personnel and legal matters.

MOTION BY MR. ERTEL, SECONDED BY MRS. PARDEE to hold an executive session for the purpose of discussing personnel and legal matters. On roll call, all voted "aye."

Directors' Reports

Finance Department: Mr. Heiser reported that the County contract for health insurance will have a 1.5% increase. Mr. Heiser stated that with the way the health insurance going in this day and age he felt pretty good about that rate of increase.

Safety Director: Mayor Infeld provided members of Council a memo and data report for the resident usage of Senior Transportation. The usage is not what the City would like it to be, it has been consistently below what the City is paying for. Mayor Infeld referred the issue of Senior Transportation to the Civic Information Committee for further review.

Ms. English asked Mayor Infeld if the current contract ended earlier in 2014.

Mayor Infeld replied that she has a call into the STC, but the director is on vacation. Mayor Infeld is waiting to hear back. The City did have a 6 month contract set up a while and that changed into 12 months and the City hasn't received a new contract from them.

Fire Department:

Mr. Wiseman thanked Chief Zook for the information about the ambulance and asked Chief Zook about his inquiry about the monthly breakdown for the last 12 months of the runs to East Cleveland that the Fire Department was making.

Chief Zook replied that he is waiting for the report from the Dispatch Center.

Mrs. Cameron asked Chief Zook to explain the shared use of services and how does this work in terms of the dispatch center. How is it that we are providing the services to East Cleveland.

Chief Zook answered that the Fire Department provides services to any other jurisdiction in the State of Ohio, according to State law and University Heights City Ordinances and based upon the Fire Chief desecration.

Mrs. Cameron asked if there was a clearing house for calls.

Mayor Infeld stated that the calls are answered by the Dispatch Center. Mayor Infeld reported that she has informally begun talks with the surrounding area Mayors to see if there is something the Cities could do collectively to lend a helping hand to East Cleveland.

Mr. Wiseman asked about a copy of the agreement where the City provides mutual aid to the City of East Cleveland.

Chief Zook replied that Cities no longer enter into those types of agreements per State law.

Mr. Wiseman asked what section of the code did that fall under.

Mr. Coyne noted that it is Chapter 737 – providing aid to other jurisdictions and Administrative Code 238.11 of the City of University Heights code book.

There were no other director reports.

Standing Committee Reports


Finance Committee Chairwoman/Vice Mayor Susan Pardee reported that the Joint Finance Committee and Finance Advisory Committee meeting scheduled for Thursday, October 23 is cancelled.

There were no other standing committee reports.

The Regular Council meeting resumed at 12:11am.

There being no further business to discuss, the meeting was adjourned at 12:12am.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MS. ENGLISH to adjourn the meeting. On roll call, all voted "aye."



Susan K. Infeld, Mayor



Kelly M. Thomas, Clerk of Council