

**MINUTES COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
SEPTEMBER 15, 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. Steven Sims
Mr. Phillip Ertel
Ms. Pamela Cameron

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

Pledge of Allegiance

Minutes of the Special Meeting of June 16, 2014

MOTION BY VICE MAYOR PARDEE, SECONDED BY MS. ENGLISH to approve the minutes of June 16, 2014 as amended and corrected. On roll call, all voted "aye."

Minutes of the Special Meeting of September 2, 2014

MOTION BY MR. SIMS, SECONDED BY MS. ENGLISH to approve the minutes of September 2, 2014 as corrected. On roll call, all voted "aye."

Comments from Audience

Mrs. Dena Goulder, 2544 Claridge Oval addressed Mayor Infeld as her capacity as the City's Safety Director. Mrs. Goulder asked for a response to her concern relating to the reduced staffing of her City's Fire Department. Mrs. Goulder stated she read in the previous weeks Sun News Paper that the City of Cleveland Heights no longer has confidence in University Heights EMS's services to respond to Cleveland Heights for assistance due to our Safety Director's and Fire Chief's recent cuts in EMS staffing. If Cleveland Heights is not comfortable with reduced EMS staffing why should residents of University Heights who pay taxes for EMS and Fire Services be comfortable with reduced staffing? In 2006 the University Heights residents voted for additional taxes to support the fire and EMS service and to maintain a certain standard of service. Mrs. Goulder continued to say that the City has a fine Fire Department with caring and well trained professionals, the residents want and expect to retain the good profession in the high standards the residents are very willing to pay for. In 2009 the staffing of the Fire Department were reduced but the taxes were not, why has the fire staffing been reduced.

Mrs. Muzis, 2573 Warrensville Center Road, agreed with Mrs. Goulder's comments.

Mayor's Comments

Mayor Infeld had no comments

Agenda Items:

Mayor Infeld ask for a motion to add the approval of the Planning Commission recommendation for the approval of 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). Conditional on the filing of the lot split and consolidation plat with the County to the meeting.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MS. ENGLISH to add the Planning Commission recommendation to the Council Agenda regarding 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). Conditional on the filing of the lot split and consolidation plat with the County to the meeting. On roll call all voted "aye," except Mr. Wiseman, Mr. Sims and Mr. Ertel who voted "nay."

The Planning Commission recommendation to the Council Agenda regarding 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). Conditional on the filing of the lot split and consolidation plat with the County to the meeting was placed on the agenda for discussion.

Vice Mayor Pardee requested the minutes from the Planning Commission meeting.

Mayor Infeld stated what is coming before Council is not to approve Waterway's it's simply to approve that applicant's request for rezoning of the various parcels.

Mr. Coyne stated that the applicant and the representative of Waterway are also here; there maybe some issues with the legal description that would be important at a later time.

Mr. Weiser stated that it was his understanding that this was to approve the request for the zoning change for the parcels; not to approve any plans or specific conditions on what will be done with the property. The need for the change is very beneficial for the City and it is a complete improvement. Mr. Weiser stated Waterway is present not for approval but for a discussion of why he wants the use changed, to answer questions and to show preliminary plans if Council wants to see them.

Mr. Coyne noted that this is not for the approval of a site plan or specific use; this is to address the zoning change that could accommodate this use or other uses in the zoning code as well. Mr. Coyne stated to have a comfort level regarding the recommended use Council may want to hear from the applicant that may influence have Council votes when the final vote takes place.

Mayor Infeld added that the zoning change would allow for many uses and it just so happens that the application was made by this company; this is mainly a request to change the use from what it is now, the four residential houses to other possibilities.

Mr. Wiseman asked Mr. Weiser if his intentions once the parcels are rezone are to place a Waterway's into the spot.

Mr. Weiser replied yes, if Council were to approve it; if not Mr. Weiser stated he has numerous opportunities for example Wendy's, Buffalo Wild Wings. The highest and best use would be for a Waterway but it should be commercial, it would help the community. Waterway would be great entrance way to University Heights, there would be much more revenue from Waterway. Mr. Weiser stated that if Council feels there is something else, he is willing to work with them, but Mr. Weiser noted he felt that the zoning change is appropriate at this time. The houses are in terrible condition, Mr. Weiser stated buying and maintaining the houses over the last 27 years, the last two homes have been vacated and need to be demolished.

Mrs. Zucker referred to the letter from Christopher Warsaw, project engineer where in the second paragraph it states the property is located in the northwest corner of University Heights. Mrs. Zucker asked for clarification that the location is the northeast corner of the city. Mr. Warsaw stated that the area is the northeast corner of University Heights.

Mr. Mike Goldman, VP and General Counsel for Waterways Gas and Wash stated that the request is to taking the listed parcels and rezoning them from residential to neighborhood retail. Mr. Goldman noted that he thought Waterway's use would be appropriate at this spot. Traffic studies have been done and steps have been taken to work various things out. Basically this takes the homes which are on a busy commercial street and rezoning them from residential to local retail and Waterway fits into that zoning use. Mr. Goldman offered to inform Council about Waterway, about their plans for this site. But regardless if the zoning changes Waterways would still have to go back to the Planning Commission for site plan approval and in the event that variances are needed the approval of those as well. Thus Waterway would come back before Council assuming the zoning change is made and at that time Mr. Goldman said he would intend to present more detail about the project; i.e. where the cars go, where the employees park, etc.

Vice Mayor Pardee stated that she is just reviewing the rezoning, not Waterway and asked for clarification on the orientation of the area. Vice Mayor Pardee asked if Jack's Deli would be able to give up the small portion of their parking lot.

Mr. Weiser replied that there would be additional parking. The whole parcel will not be used for Waterway; there will be additional parking directly across from Jack's to allow for front parking for Jack's.

Mr. Goldman noted that the net number of parking spaces will be increase by a few spaces.

Mayor Infeld informed everyone that Mr. Weiser owns the Cedar-Green Development and Jack's Deli is one of his tenants.

Mr. Weiser commented that this would improve the parking situation on that side of the shopping center.

Vice Mayor Pardee asked if parcels 6, 7 and 8 currently have homes on them with green space behind them.

Mr. Goldman replied that parcels 5, 6, 7 and 8 have homes on them.

Mrs. Cameron questioned how people would drive in and drive out in order to use the facilities.

Mr. Goldman explained and showed where the curb cuts would be on Cedar and Fenway Road. Mr. Goldman stated that based on the completed traffic study part of their belief is that without a signalized intersection at Cedar and Fenway it would be a very safe turning pattern. The traffic study did actually recommend the placement of a traffic light at the intersection of Cedar and Fenway.

Mr. Weiser commented that he thought Mr. Ciuni had reviewed the traffic study.

Mr. Wiseman asked which municipality would the traffic light for the Cedar / Fenway intersection be in and who would be in charge of approving placing a traffic light at that intersection.

Mr. Ciuni responded that that intersection would entail University Heights, Beachwood and South Euclid and University Heights would be in charge of approving placing the traffic light at that intersection because the business that would be generating the traffic is located in University Heights. University Heights would also have to obtain permission from Beachwood and South Euclid. Mr. Ciuni added that both Beachwood and South Euclid are also aware of the project.

Mrs. Cameron clarified that theirs is already a light at the Cedar/Green intersection and then a half a breath away there would be another light at Cedar/Fenway.

Mr. Ciuni replied yes; and stated that he reviewed the traffic study and the additional light at Cedar/Fenway is warranted. The light signals will have to be coordinated to work together.

Mr. Wiseman commented that the traffic study just talks about whether the traffic light is needed, not whether it will create a giant bottleneck or big problem with the current traffic.

Mr. Ciuni replied no, but that he asked them to look at that. The two traffic lights would have to be coordinated and work together. Mr. Ciuni stated that the need is there and it will not create a "bottle neck".

Mr. Goldman commented that the residents coming out of Fenway there is not a lot of ability to turn left onto Cedar Road, the proposed traffic light would regulate the traffic and provide the opportunity to make that turn to go west.

Mayor Infeld stated that there are some things that will be determined, if the zoning gets approved and the applicant decided to proceed with the project; future issues such as this will be addressed through the Planning Commission. Then the Planning Commission will make a recommendation to the City Council. Mayor Infeld stated that the City is not at that point yet; the Planning Commission has not been presented a plan to approve.

Mr. Weiser added that if the zoning change is approved, he is not asking the City to pay for a traffic light, Mr. Weiser stated they would pay for the traffic light.

Mr. Coyne asked Mr. Ciuni if he had looked at the site plan to see if any variance would be required.

Mr. Ciuni stated in his opinion it is too preliminary for that. The applicant is here to ask for rezoning. After which they would come back with their lot split consolidation and an actual site plan.

Vice Mayor Pardee stated that traffic is incredibly germane, regardless if it's Waterway's, Wendy's or whatever it is because if it is commercial we are increasing things significantly. So the traffic is very important. Vice Mayor Pardee asked Mr. Weiser to explain the boundaries for the Cedar-Green Development?

Mr. Weiser replied that the boundaries are Cedar Road (from Green Rd. to Fenway – excluding BP Gas Station); Green Road (Cedar Rd. south to the Foot Spa, just before the Altman's Meat Market); the wall between the Foot Spa and Altman's also belongs to Mr. Weiser and the property line extends back to the back parking lot that butts up to Fenway Road.

Mrs. Cameron asked Mr. Goldman from Waterway's point of view what is the vision and why is Waterway appropriate for this location.

Mr. Goldman replied that Waterway has felt that the Cleveland Metro area is an appropriate market for many years. The reasoning for this specific site is the belief that they could capture the neighborhood retail that currently flows on Cedar Road. Waterway is not a destination, Waterway captures the traffic that is currently out there rather than creating a lot of new traffic. Mr. Goldman noted that there will be times when traffic is created, but this site lies out beautifully for the entry and exit and for a cue that will lie out better than the Pepper Pike location. Mr. Goldman stated that when the Pepper Pike location was established an agreement was made with the Pepper Pike Mayor that in the event that cars are backed out into Lander Circle they would stop taking customers until it is done and in all the years they been there that has not happened because of how it is laid out. There will be more cue space in this location for cars, and will capture almost all the cars in the exit area so there is no line up at the entrance. Waterway is known for not having the traditional car wash bottleneck at the entry. This is known as an exit back system.

Mr. Wiseman stated he loves development and wants to put as much of it in University Heights as the City possible can but also voiced his concerns regarding the traffic mess that he thinks might be created and would like to see more information about that. Mr. Wiseman stated he understood that Council is only looking at changing the zoning and not approving Waterway's, but if the zoning is changed by the time the project comes back to Council it will be for Waterway's. Mr. Wiseman stated in his mind that is what Council is being asked to approve with the rezoning, so that way he wants to take time and would appreciate as much information as they are willing to share regarding the actual Waterway project. Councilman Wiseman's stated his main concern is what the traffic will do to the City because he doesn't want to know as the City you can't get into. That intersection is problem-maniac, you can't go west and now Mr. Weiser you are saying there will be another light and people will be coming out turning both ways.

Mayor Infeld noted that NOACA reviewed the Warrensville Center Road pedestrian and bicycle sidewalk areas as well as along Cedar Road. Part of their study materials involved the NOACA study of the Cedar/ Green Road intersection because it is a high volume intersection a few years ago. And based on that study the City instituted changes in that area adding striping along

Cedar Road at Kerwin so cars could turn left; traffic signalization was changed for a left hand arrow, so people could turn into Kerwin for the shopping center or apartments; changed the traffic patterns leaving shopping area by Al and Fran (South Euclid did the same on their side of Cedar) Mayor Infeld commented that she could ask Mr. Ciuni to have Mr. Mike Hobbs, the traffic engineer at GDP Group review the traffic study to address Mr. Wiseman's concerns. Mayor Infeld also noted she understood what Mr. Wiseman was saying in that know the applicant is asking for a zoning change for commercial development; whether it's Waterway or some other commercial development and knowing the there would be commercial development replacing the four houses is concerning because there is a lot of traffic on Cedar Road. For Council's comfort level before approving a change in zoning to what would ultimately be for commercial use it might be a good to have Mr. Hobbs review the traffic study.

Councilwoman Cameron asked for additional information that could be understood by a lay person regarding the "exit back" system that Mr. Goldman described because it would be pertinent to the traffic flow.

Mr. Goldman noted that he understood how things are going hand and hand and would be willing to have his traffic engineer present to answer technical questions.

Mayor Infeld stated there would be continued discussion regarding the applicants request for rezoning at the next Council meeting.

A. Resolution 2014-26 Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Fiscal Officer (second reading)

Mr. Heiser stated that Resolution 2014-26 sets the rates that the County will be collecting for the City for next year's property taxes and is part of the Tax Budget that was passed in July.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to approve the passage of Resolution 2014-26 Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Fiscal Officer. On roll call, all voted "aye."

B. 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 (first reading)

Mayor Infeld reported that Lt. Bob Perko authored a grant from FEMA. The grant is in the amount of \$206,008.00 for the purchase of rescue equipment, computer equipment and various health and wellness items. The grant will give the department certain rescue equipment replacing outdate and old equipment as well as computer equipment, mobile data terminals that the City doesn't have but our neighboring joint dispatch departments have, workout equipment for the workout garage, nutritional counseling and wellness, etc. Mayor Infeld also noted that Lt. Perko authored and received the grant for the pumper.

Lt. Perko stated that the total grant was for \$216,000 and the City will receive \$206,000 and then the City will owe 5% federal share or \$10,842 for a grand total of \$216,850. The breakdown is as follows:

Part 1: \$60,000 allocated towards fire extrication equipment that would be used for vehicle extrication: Jaws of Life tool - hydraulic spreaders and cutters, hydraulic rams, stabilization jacks and struts. Lt. Perko explained that he applied for the grant for this type of equipment was because during training exercises it was discovered that current tools extrication tools which uses a generator to run use the 1980's technology and the service industry recommends the life expectancy for this equipment is 15 years. However with the technological advancement with vehicles in the future all vehicles and just the current high end vehicles and trucks will have the metals that our current equipment can't cut. For example to cut the roof off a car our current tools exerts 70,000 foot pounds of force and the proposed tool exerts 300,000 foot pounds of force. All of the equipment will be the department up to NFA (National Fire Association) standards. This will also give the department equipment that the surrounding fire departments don't have.

Part 2: Mobile Data Terminals - \$80,000 will allow the apparatus to be paperless/electronic via either laptop or tablet. Currently with the Joint Dispatch System (ESCOM) with Shaker Hts. and Cleveland Hts. the information (what the call is and where the location is at) is received from dispatch via a printer in the watch office but it would now be sent to the apparatus as well. Dispatch will also be able to send the location directly to the apparatus so the crew would have to manually type the location into Garmin GPS system.

Part 3: Health/Wellness and Fitness - \$76,850. In order to receive this part of the grant FEMA requires the City to meet certain NFPA and OSHA standards; i.e., immunization program, nutritional/cooking counseling, flexibility/mobility training and the purchasing of flexibility machines for the workout room, rehab counseling and behavior health, post traumatic stress disorder, etc. The grant also funding for three members to become pure fitness trainers, this is provided by the International Association of Fire Fighters as well as the International Association of Fire Chiefs.

Lt. Perko also commented that the department wants to initiate a program to help the department members become more physically fit, muscularly, cardiovascular and mentally. The grant will also provide physical exams with detailed screening geared towards fire fighters for example stress test, chest x-rays, hearing, vision, certain cancer screening that may not occur with basic physical exams. Purchasing and/or replacing some of the out-dated strength and cardio equipment in the city workout room.

The members of City Council congratulated Lt. Perko for his good work.

Councilman Sims commented that he wouldn't be at the next Council meeting but wanted to commend and thanked Lt. Perko and continued to say that the City is lucky to have someone who would pay this type of attention to insure the City is well equipped.

Mayor Infeld thanked Lt. Perko and pointed out that this is the second large major grant that Lt. Perko has written and that the City has received benefit from, the City is truly indebted to him.

Resolution 2014-31 was placed on first reading.

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

Mr. Ertel explained that the auxiliary police perform light duties to free up the Police Officers so they can concentrate on more critical issues. Like our neighboring Cities we have had a difficult time recruiting persons to the auxiliary police. Ordinance 2014-32 makes the hiring of auxiliary police less restrictive in hopes that the City will be able to retain some of the current members and recruit new members.

Mayor Infeld added that the auxiliary police serve as volunteers and perform a lot of good functions, one of which is Halloween night they supplement the police officers to monitor the streets.

Ordinance 2014-32 was placed on first reading.

D. Ordinance 2014-33 Enacting and Adopting the 2014 S-11 Supplement to the Codified Ordinances of the City of University Heights, Ohio and Declaring an Emergency

MOTION BY MR. SIMS, SECONDED BY MRS. ZUCKER approving Ordinance 2014-33 Enacting and Adopting the 2014 S-11 Supplement to the Codified Ordinances of the City of University Heights, Ohio and Declaring an Emergency. Roll call on suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."

E. Resolution 2014-34 Declaring the Structure Located on the Property at 3761 Northwood Road to be a Public Nuisance and an Declaring an Emergency

Mayor Infeld reported that the property was acquired by the Land Bank and is a very distressed property. The Land Bank would like to demolish this house for the City's benefit.

Mr. Macalla stated that he inspected the property on September 10, 2014 and recommended the demolition of the house.

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON approving Resolution 2014-34 Declaring the Structure Located on the Property at 3761 Northwood Road to be a Public Nuisance and Declaring an Emergency. Roll call on suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."

F. 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. (first reading)

Mayor Infeld stated that the City hires temporary help through Minute Men to help with the leaf collection from the City's tree lawn areas.

Vice Mayor Pardee asked Mayor Infeld how long has the city been using Minute Men services in this way and how much is the total cost is estimated to be based on past usage, because there's \$30,000 in the Tree Fund.

Mayor Infeld stated possibly decades but she really didn't know, in some ways this service is somewhat a moving target depending on weather conditions and when the leaves fall.

Mr. Heiser noted that for the last two years the cost has been under \$20,000.

Mr. Wiseman asked if the tree fund was the fund used to replace the trees and if typically the Service Department salaries for this type of work doesn't come out of the tree fund the salaries come out of the Service Department budget.

Mr. Heiser answered yes, the tree fund is for trees, maintenance, etc. all cost that relates to trees. The Service Department employee salaries do not come out of the tree fund just this line item for the maintenance comes out of the tree fund.

Mr. Pokorny stated in general the leaf curbside collection begins around October 15th and it continues until the first week in December. The city tries to start with a leaf crew on the east side and a leaf crew on the west side, as the leaves start to fall heavier we have two crews on each side of town.

To follow up on Mr. Wiseman's comments Mr. Sims asked Mr. Heiser if historically when the city has contracted with Minute Man to assist with leaf collection if it came out of the tree fund.

Mr. Heiser responded yes, based on the past budgets for the last 10 years.

Mr. Sims asked Mr. Pokorny if this was skilled labor because there are a lot of young people in the community that could benefit from just having the work experience, but also in the Greater Cleveland community as well. Hopefully at some point we can begin to look to see whether there are opportunities to collaborate and partner with other programs. Mr. Sims noted that it may even be more economical for the city.

Ordinance 2014-35 was placed on first reading.

G. 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)

Mrs. Zucker asked what happens if an employee does not want direct deposit.

Mayor Infeld stated that this would be a policy where having direct deposit is not optional. Mr. Heiser stated that this is for security reasons.

Mr. Sims stated he felt people should have a preference in how they want to receive their compensation. There may be a case with some employees where they may not be able to establish a bank account.

Mr. Heiser replied that he has worked that out with First Merit Bank. First Merit Bank will provide University Heights employees who can't open a checking account with zero interest, no fees checking accounts. If an issue develops with any account that the city helps employees set up First Merit will contact the city immediately.

Mrs. Cameron asked if the city needs to have a contractual relationship with First Merit in order to do this.

Mr. Heiser replied no.

Ordinance 2014-36 was placed on first reading.

H. Motion to Approve Vendor Contracts

Mayor Infeld stated that contracts are sent out to vendors every time they send an invoice to the city. Mayor Infeld read the list of bills and noted that they were business' the city does business with on a regular basis. Mayor Infeld stated that she would provide Council with a typed list if they want it.

Councilman Wiseman stated that he wasn't sure what the Mayor was asking Council for.

Mayor Infeld replied to approve the contracts because the City has entered into contracts with all of the mentioned companies to do business with the City. This was the contract that was provided by the Law Department up to the maximum of \$5,000.

Mr. Wiseman commented that this was the same item they saw at the last Council meeting and the consensus of Council was not to pass anything.

Mayor Infeld replied that yes, the same item was presented at the previous Council meeting and Council may again choose not to take action but for public reporting purposes she was making it known on the recording the companies that the City does business with and the companies that contracts were sent to. The companies have signed the contracts and Mayor Infeld is asking Council to approve the contracts so that she can sign the contracts.

Mrs. Cameron stated that then for the purposes of the recorded meeting Mrs. Cameron added that she believed that matter was tabled until a decision was made by the Finance Committee as to how Council would proceed. The matter is tabled at this point.

Mayor Infeld commented that if Council wants to table this and take no action, she (Mayor Infeld) just wanted to have a record that this had been presented to the Council.

Mr. Wiseman stated nothing has been presented to Council. The Mayor read a list of companies the City is doing business with, which is fine.

Mr. Coyne reported to Mayor Infeld that action taken at the previous Council meeting was not to take action until there were further subsequent meetings and that the Vice Mayor will be having a Finance Committee meeting as well. Mr. Coyne stated that there is no harm in the vendor agreement in terms of if for some reason a contract exceeds \$5,000 by a substantial the vendor is then on notice that in order for the additional amount to be paid may require Council approval for the additional payment amount. The contract provides the City with some protection if an issue were to arise and Council choose not to pay the additional amount.

Vice Mayor Pardee stated for the record that at a prior Special Council meeting Council recommended that the Mayor continue to pay and operate administratively as she has in the past. Council voted on that; that was Council direction - to continue as we have been going along and wait for the Finance Committee to do its work and make a recommendation. Vice Mayor Pardee stated that in fact that has been Council's guidance and voted direction.

I. Motion to hold Executive Session

Mayor Infeld stated there was no need to hold an Executive Session.

Directors' Reports

Law Department: Mr. Coyne stated that an Executive Session is needed to discuss a lot split and that Caffee Halter would be present at the September 15, 2014 meeting to discuss in Executive Session a pending ancillary lawsuit to University Square regarding an access issue with the Waterstone Medical Building.

Fire Department: Chief Zook explained that in April the department started staffing the ambulances with two paramedics; this is the minimum standard that is established by the State of Ohio. It provides for a greater degree of safety for the community and the fire fighters by being more efficient in the scheduling of personnel. Three is not a good number on an ambulance, it is one person too many for most of the runs that the department does and it's one person too few for the most serious calls. Chief Zook stated that the on duty officers have the authority to dispatch extra personnel when needed. The way University Heights has been doing it up to this point has been a little bit inefficient and somewhat unsafe by putting personnel where they are not needed and keeping them away from calls where they might be needed. This has no effect on the overall daily staffing in the Department and is in line with most communities in Ohio. Chief Zook noted that he is aware that the neighboring departments will frequently schedule three persons, Shaker Heights schedules based on what part of town you live in and will send a third person in a chase car.

Councilwoman Cameron asked Chief Zook if he shares this policy with the dispatch from other Cities so they are aware of how the apparatus is staffed and what guidelines are used to decide the number of paramedics to send to a call.

Chief Zook replied yes, other Cities are made aware of this and the number of needed personnel depends on the nature of the call, chest pains usually gets dispatched with extra personnel.

Councilman Wiseman asked if there was any data to backup three persons being too many.

Chief Zook gave the examples from the International Association of Fire Fighters and Fire Chiefs as well as other agencies.

Councilman Wiseman commented that in order to change a long standing policy, especially involving the safety forces it would be a lot more justifiable and defensible if there was data review behind the reasoning of having a reduced staffing number for the apparatus. Councilman Wiseman also noted that the concept of having a chase car makes sense especially for a City of this size.

Chief Zook stated that why he is conducting the pilot is to have a history. Ultimately safety is most important.

Councilman Sims asked if a report could be given regarding the flooding that took place from the rainstorm.

Mayor Infeld reported that the City did have some flooding during the last weekend in July and that it is very unusual for University Heights. Residents experienced water and raw sewage backup in their homes, she sent out an email to the community asking residents to inform the City if they had backup so the sewer connections could be checked. Mayor Infeld noted that the basement of City Hall flooded as well.

Mr. Ciuni stated that Shaker Heights had almost 600 calls.

Service Department: Service Director Jeffrey Pokorny reported on the flooding that occurred in the City from the previous rainstorm on July 27, approximately 3" of rain came down per hour. There were various pockets of the City that were affected and then a general number of homes flooded unrelated to their neighbors. There were approximately six (6) areas with localized flooding i.e. the Carroll Blvd., Hadleigh area. Most of the houses in that area saw some water in their basements depending on where they were in that area they saw different types of flooding. Some had sewage, some had just clear water. Just about all of the reported homes had between 1½" – 2" of water. Since that time the City has identified who flooded and having been sending the sewer crews from the Service Department out to dig up the test tees at each of the homes and check their connects. So far nothing has been found to show in problems on the City side. Several homes had roots or other obstructions on their side of the connection, but this may not have been the cause in these cases. Thus it appears that most of the flooding is related to the quantity of water in a short period of time and the system being over taxed. The City is also

having AAA under the sewer maintenance contract clean and TV the mains. In comparison to Shaker Heights, University Heights received 80 – 90 calls about flooding

Building Department: Commissioner Eric Tuck-Macalla introduced himself and stated he was with the City of Shaker Heights for 12 years and with Lakewood for 1½ year.

There were no other director reports.

Standing Committee Reports

Civic Information Committee Chairwoman Nancy English reported that there will be a joint meeting of the Technology Advisory Committee and Civic Information Committee on Wednesday, September 3 at 7pm in Council Chambers.

Finance Committee Chairwoman/Vice Mayor Susan Pardee reported she is looking at two dates for the Finance Committee. On Thursday, September 18 the committee would like to finalize the contract discussion and have recommendations for City Council. On Thursday, October 23 the Finance Committee and Finance Advisory Committee will open the budgeting process.

Recreation Committee Chairman Pamela Cameron reported that she will be contacting the two residents who inquired about being on the Recreation Committee.

There were no other standing committee reports.

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

MOTION BY MRS. CAMERON, SECONDED BY MRS. ZUCKER to enter into Executive Session for the purpose of discussing two personnel matters, a possible litigation matter and a real estate matter. On roll call, all voted “aye.”

Council entered into executive session at 10:25p.m. to solely discuss two personnel matters, a possible litigation matter and a real estate matter.

MOTION BY VICE MAYOR PARDEE, SECONDED BY MRS. CAMERON to come out of executive session and reconvene the regular City Council meeting. On roll call, all voted “aye.”

The Regular Council meeting resumed at 11:28pm.


Mayor Infeld reported that there was one item tabled on the agenda, that item was “B” Ordinance No. 2014-18 authorizing the Mayor to enter into a Contract for Professional Services for Computer Support, Network Security, and Network Upgrades with Meritech (take off the table & second reading). Mayor Infeld asked if there was a motion to take this item off the table or any other motion.

Mr. Coyne reported that it appears that Council would prefer to keep this item tabled at this time, but do want to work with the Finance Director to have an RFP issued to re-evaluate the bidding process. Mr. Coyne stated that he did look into the bid process and found nothing to be improper pursuant to Ohio Law as it relates to what occurred. But out of the point of caution he was asked to verify the RFP process.

There being no further business to discuss, the meeting was adjourned at 11:28pm.

MOTION BY VCE 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