Mayor Infeld called the regular meeting to order at 7:38 p.m.

Roll Call:

Present:  
Mrs. Susan Pardee  
Mr. Mark Wiseman  
Mr. John Rach  
Mrs. Pamela Cameron  
Mr. Steven Sims  
Mrs. Michele Weiss

Absent:  
Mr. Phillip Ertel

Also Present:  
Law Director Luke F. McConville  
Finance Director Larry Heiser  
Clerk of Council Kelly M. Thomas  
Police Chief Steven Hammett  
Fire Chief Douglas Zook  
City Engineer Joseph Ciuni

MOTION BY MR. SIMS, SECONDED BY MR. WISEMAN to excuse the absence of Mr. Ertel. On roll call, all voted “aye.”

Pledge of Allegiance

Minutes from March 7, 2016 continued to be tabled.

Approval of Minutes from Special 12noon Meeting March 21, 2016

Mr. Rach noted he was not present at the Special Meeting, therefore the motion under item agenda item “B” needed to be corrected.

The correct motion should read “Motion by Mrs. Pardee, seconded by Mrs. Cameron.”

MOTION BY MRS. CAMERON, SECONDED BY MRS. PARDEE to approve the Special 12noon Council Meeting Minutes from March 21, 2016 as corrected. On roll call, all voted “aye,” except Mr. Rach and Mr. Sims who “passed.”

Approval of Minutes from Regular Meeting March 21, 2016

Mayor Infeld added the following corrections:
- pg. 1, paragraph 5, line 2 skew should read “skews”; pg. 2, line 8 under Mayor’s Report change “so” to “regarding” certain questions; pg 2, under Mayor’s Report, paragraph 4, line 3 insert “not” after “was” and on line 6 changed “a” to “as”; pg 3, paragraph 2, line 3 remove “when” line 4 remove the word “to”; under item “D” paragraph 5 change “closer” to “closure”; page 7, paragraph 3 add the word “lower” after substantially; pg. 8, item “F”, line 8 insert the word “is” between that and it.
- Mrs. Pardee asked that the Mayor’s comment on Pg. 3, paragraph 4 be clarified. Mayor Infeld suggested that the words “no and” be removed. Mrs. Pardee also noted that on pg. 6, under the motion for item “D” that she abstained because she voluntary service to the Future of Heights Library Foundation.
- Mr. Rach provided a written correction to his comments on page 7.

MOTION BY MR. RACH, SECONDED BY MRS. PARDEE to approve the Council Meeting Minutes from March 21, 2016 as amended and corrected. On roll call, all voted “aye,” except Mr. Sims who “passed.”

Comments from Audience

There were no audience comments.
Mayor’s Report to Community

- The City has received the annual reports from various agencies and they are available for the public in the City Hall lobby area. One of the reports is from the Northeast Ohio Public Economic Council (NOPEC) who negotiates natural gas prices for various committees and their residents. There is also the report from the County Board of Health.

- The Community Survey is out to the community and thus far the return rate has been good.

- There will be another Steering Committee meeting regarding the City’s Masterplan at a later date.

Agenda Item:

A. Ordinance 2016-10 approving the Pricing of Activities at Purvis Park (on second reading)

Mr. Heiser stated that the only price change was in the cost for swim team increased from $35 to $40.

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to approve Ordinance 2016-10 approving the pricing of activities at Purvis Park. On roll call, all voted “aye.”

B. Ordinance 2016-13 Amending Section 1 and Schedule A to Ordinance No 2008-41 by Amending the Annual Base Pay for All Non-Exempted Full-Time Employees at the July 1, 2009 Rate of Compensation (on emergency)

Mr. Heiser informed Council that with the City’s Audit when the Assistant Service Director’s pay records were pulled as a sampling check. Mr. Heiser added that the Assistant Service Director has been a member for the Service Department Union ever since Mr. Heiser began working for the City but his salary is not listed in the Union Contract nor was it a part of the original Salary Ordinance from 2008. Mr. Heiser stated that somewhere along the line the position switch from Forman to Assistant Service Director, noting that that same person also served as the acting Service Director at least two times in that time period. Mr. Heiser also explained that in 2008 the crossing guard pay topped-out at $12.87 and the Part Time Laborers at $14.08. The Building Department Secretary, who has been with the city for about 20 years is currently at the max of the range and would not be able to receive the 2% increase if offered. The listed 2015 rates would correlate with 2016 and the 2016 rates would correlate with 2017. From a percentage standpoint the largest increase is in the Laborer – Part Time and that is because there have been a few workers that have stayed longer than one year so the Service Director would like to pay them a little bit more. The crossing guard rates is based on maintaining and keeping the same staff of good guards, this didn’t occur when the pay was $10.00.

Mr. Wiseman asked if the maximum amounts for 2015 was in accordance with the city’s budget that was passed in December and if 2016 would be in the budget for the next fiscal year cycle 2017.

Mr. Pardee question if the Mayor’s Assistant was an un-exempt full-time person.

Mr. Heiser replied part-time and that the pay fell within the compensation range.

Mrs. Cameron questioned how the passage of this Ordinance would there be a timeframe in which it would be effective or until whatever financial changes come and when would Council have to reconsider this.

Mayor Infeld replied that this Ordinance would be in effect according to the timeframe that are noted on the Ordinance and would fall into the same approval cycle as the other compensation Ordinances.

MOTION BY MRS. CAMERON, SECONDED BY MRS. PARDEE to approve Ordinance 2016-13 Amending Section 1 and Schedule A to Ordinance No 2008-41 by Amending the Annual Base Pay for All Non-Exempted Full-Time Employees at the July 1, 2009 Rate of Compensation. Roll call on suspension of the rules, all voted “aye” and roll call on passage, all voted “aye.”
C. Motion Approving using CompManagement for a fee of $7,350 for the City’s Group Retrospective Rating Program

Mayor Infeld stated that CompManagement is the City’s third party administrator for the City’s Group Retrospective Ratings Program and the cost is over her spending authority.

Mrs. Weiss highly recommended CompManagement and the services they provide; they do excellent work.

Mr. Heiser explained that CompManagement manages the city’s worker compensation claims. CompManagement also attends various meetings/forums that aid in reducing the city’s cost.

Mr. Sims asked which rating pool was the City currently in.

Mr. Heiser replied that the City was in an individual retro group but is now currently in a group which will allow for less expensive rates. Although the City is still responsible for the individual retro for 10 years and that there are some claims out there, a lot have closed out but that liability is still there.

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS approving using CompManagement for a fee of $7,350 for the City’s Group Retrospective Rating Program. On roll call, all voted “aye.”

D. Motion accepting and authorizing the Mayor to enter into a contract for the 2016 Street Improvement Program as the lowest and best bid.

Mr. Ciuni reported that 8 bids were received for the 2016 Street Improvement Program and the Ronyak Paving Inc. submitted the lowest bid with a base bid of $994,905.50 and the alternate bids. Mr. Ciuni also reported that the City received the County Block Grant for the repaving of Cedarbrook Road. Mr. Ciuni recommended that the work on Cedarbrook not be performed out of this contract. Because when you received grant funds you have to oblige by their grant policies and so it has to be bid separately; there are Davis-Bacon wage rates which are different from State wage rates, you have to erect project signage, etc. Mr. Ciuni also recommended doing both alternate paving jobs for the two park’s parking lots.

Mr. Sims asked Mr. Ciuni how much was the Cedarbrook Road grant for.

Mr. Ciuni replied that he hoped about $146,000 and it should be sufficient to cover the cost of the project.

Mrs. Cameron asked if another street would be added to the 2016 Street Improvement Program since Cedarbrook was being removed.

Mayor Infeld replied that the two add alternatives: paving the Purvis Park Parking lot and paving the Community Park Parking lot would be added to the program.

Mr. Ciuni stated that he would recommend adding those two alternate bids in to the 2016 paving program.

Mr. Sims asked Mayor Infeld if the Bond Issue for the park has the money for the parking lot, would those monies then be exchanged.

Mr. Heiser replied, yes and noted that $194,000 was budgeted for the park.

Mrs. Pardee mentioned that there had been discussion regarding the use of pavers for the Community Park parking lot and asked if this was being considered.

Mr. Ciuni responded no and that asphalt material would be used.

Mr. Wiseman asked Mr. Ciuni about the bid price of $99,000 and that Mr. Ciuni said the County grant is $146,000 so was Mr. Ciuni’s estimate for only part of Cedarbrook whereas the County grant is for all of Cedarbrook? If the County grants the City more could the curbs on Cedarbrook could also be done since this would be using the County grant.

Mr. Ciuni replied that was his estimate when he applied for the grant and yes curb work could also be done as long as it is done on Cedarbrook. Mr. Ciuni added that part of the work scope was curbs, catch basin repairs, etc.
Mr. Wiseman noted that October would be a bad month to do work on the Purvis Park parking lot because of the Jewish holidays and Heights Temple using the same parking lot.

Mrs. Pardee asked if having to use Davis Bacon would the pricing go up.

Mr. Ciuni said yes.

Mr. Rach asked if the contingency amount was $50,000 and what it would be used for.

Mr. Ciuni said yes for any necessary change orders.

Mr. Rach asked if curb work would come out of contingencies.

Mr. Ciuni stated yes.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to accept and authorize the Mayor to enter into a contract with Ronyak Paving Inc. for the 2016 Street Improvement Program as the lowest and best bid. Ronyak Paving Inc. for the 2016 Street Improvement Program as the lowest and best bid for both the base bid and both alternate bids for the Purvis Park Parking Lot and the Community Park Parking Lot in an amount not to exceed $1,100,689.60. On roll call, all voted “aye.”

E. Ordinance 2016-14 Authorizing the Mayor to enter into a Regional Council of Governments agreement with the cities of Cleveland Heights, South Euclid and Shaker Heights for the Purpose of forming and operating a Joint Dispatch Center for Police and Fire Response (on emergency)

Mayor Infeld informed everyone that Ordinance 2016-14 is on emergency so that the County will now that everything is in effect when they receive the paperwork, but Mayor Infeld added that she intends for this to be on tonight’s agenda as well as the Council agenda for April 18th reading along with the vote for passage. Mayor Infeld stated that having cities join into joint dispatch centers is mandated by the State of Ohio. The mandate dictates that there be no more than four (4) dispatch centers in each County, except for City that have large populations such as the City of Cleveland. In order for the cities to continue receiving 911 funds they need to be in one of the COG’s for joint dispatch. Mayor Infeld noted that there were 4 to 5 working groups developed that represented all the Cities were formed. The three Fire Chief were involved, the Law Director’s had their group and then the Mayors and Managers from the Cities had a group.

Mr. Heiser stated that his working group was comprised of: Police Chief Kevin Nietert, South Euclid; Finance Director James Smith, South Euclid; Police Chief Scott Lee, Shaker Heights; Jeffrey Demuth and Finance Director Larry Heiser, University Heights.

Police Chief Hammett added that the deadline for the Counties to be down to 4 dispatch center is 2018 or the County will lose 911 funds.

Mayor Infeld added that the City would have to go through the County’s procurement process in order to purchase the equipment needed to run the center.

Mr. McConville noted that the COG agreement between University Heights, Cleveland Heights, South Euclid and Shaker Heights has gone through multiple rounds of comments and that there will be one (1) vote per community. It is set up similar to a Board of Trustees or Board of Governors, there are provision in the agreement that indicate that any financial commitments that a municipality makes in terms of grants or other funding they have to meet those financial commitments even if they withdraw so not to leave the other municipalities responsible for amounts they committed to pay. There is an operational component that will be determined by formula, there is a capital component that is fixed @ 17.5 per year. The idea is for the grant funding to cover a significant amount, if not all the cost.

Mr. Sims noted that no vote would be taken at this meeting so he didn’t know how much discussion Council would want to have on it. Mr. Sims stated that maybe this is something that could be discussed within the Safety Committee if Council members had questions.

Mr. Sims wanted to clarify his understanding; the initial grant is from the County and it will cover the initial operating cost.
Mayor Infeld stated that the initial grant from the County would cover the cost of setup of the equipment, wiring, etc. After that, written within the COG agreement is each city’s proportional share for operating. Mayor Infeld explained that in essence University Heights will no longer pay the cost that is being paid to its own police dispatch and separately the shared cost with the other three cities for the joint fire dispatch. All those cost will be used towards the dispatch center.

Mr. Sims commented that the impetus for this is the fact that the State decided that there should be four dispatch centers per County. So if Cuyahoga doesn’t get down to four, what happens.

Chief Hammett replied that the 911 funds would be lost.

Mr. Sims questioned then what is the purpose of the Council of Governments at that point and asked if the city currently receives any portion of the 911 fund.

Mr. Heiser replied no.

Mr. Sims asked once the planning for the dispatch center gets underway if the number of employees are known and how does that number compare with the number of employees the currently joint dispatch.

Chief Hammett stated that the numbers of employees would be close in number with the current joint dispatch center.

Mr. Sims commented that it would be like an attrition plan.

Chief Hammett replied that the number of employee may work its way out on its own.

Mr. Sims asked if the employees of the new agency (joint dispatch center) would be public employees with PERS benefits.

Mr. McConville answered yes.

Mrs. Cameron noted that she was under the impression that the 911 - - - came from the Federal government.

Chief Hammett replied that money feed from the Federal government to the County government to the Local government.

Mrs. Pardee asked about the status of the rest of the County.

Chief Hammett stated that there currently there are about 49 Dispatch Centers and that several of them have already combined together; there are a lot fewer than in 2012.

Mayor Infeld added that the community would not feel any difference with the new dispatch center than the current dispatch center.

Mr. Wiseman questioned if the City was at risk of losing its 911 funds and if it’s been ball parked where all the 911 calls would come through.

Hammett noted that wireless 911 calls don’t come directly to the dispatch, they go c-com first.

Mr. Wiseman asked if the ambulance run would be limited to these four (4) cities or if the current protocols with mutual aid would remain.

Mr. Wiseman asked if that would be contingent on the grant.

Mayor Infeld replied yes; noting that the million-dollar grant should be enough. Mayor Infeld also stated that the dispatchers would be crossed trained for police and fire calls.

Mr. Sims asked what financially impact the project would have on University Heights and asked if any sort of impact statement could be provided to Council. The idea that the agreement states that if actual operation expenses exceed the budget then the members will have to input additional dollars. Mr. Sims stated he wanted to make sure that there are proper controls at the operational level to minimize that possibility.

Mr. McConville stated that there had been a lot of discussion regarding that point and noted that it would be minimized from an operational standpoint.
Mayor Infeld added that each of the communities is thinking the same and wants to make sure they are paying for the services they are getting.

Mr. Sims asked how the COG budget flow with University Heights’ process if it is set in September. Regarding public records and the sharing of information. Mr. Sims noted that he did not want to do anything that would restrict the public ability to understand how this board (COG) or this agency is operating. Mr. Sims added that he wondered if he were to make a request if he would be able to get the information he was interested in. Mr. Sims specific question was pertaining to operational policies in the COG agreement and reports and communications.

Mr. Heiser stated that they will provided him with the figures to input in University Heights’ budget.

Mr. McConville said that the COG is a public entity subject to 149.3 and 121.22 just like the City of University Heights is and HEPA weighs over that and other privacy laws as well. As a practical matter it should not make any difference of how public records is dealt from a legal standpoint with respect to the COG. The way in which University Heights response to those public records request that relate to dispatch records or any other police/fire records it should function from the standpoint of legal analysis the same way.

Mr. Sims asked regarding the by-laws who would be the Fiscal Agent, is the intent that that agent would be a person from among the members of the COG?

Mayor Infeld replied it could be but the thought is that R.I.T.A. (Regional Income Tax Agency) Financial Services in order to decentralize.

Mr. Sims asked about the section of the agreement where it states that the Finance Director of the Fiscal Agent shall serve as the Fiscal Officer of the COG – does that mean that whoever is the Financial Director of whatever agency is selected will have the position on the COG as the Fiscal Officer. Will that be a paid position.

Mr. Heiser commented that pricing was received from the R.I.T.A. Municipal Services to run the COG.

Mr. Wiseman commented that he had no doubt that it would be a great saving for the city and that it is fantastic. But echoing Mr. Sims comment about having some sort of cost breakdown, a rough estimate of how many employees University Heights won’t have to pay, what the total benefit to the City and realizing this would only be an estimate but it would provide there would serve to quantify to total impact on the City. Regarding the 180 day out for any City that wants to get out. Mr. Wiseman asked Mr. McConville if he was happy with the agreement and the way in which it is laid out.

Mr. McConville yes and in his opinion the agreement was looked at exhaustively and had been through multiple comments from several different Lawyer. In Mr. McConville’s opinion the City is adequately protected.

Mrs. Pardee reiterated whether the dispatchers would be crossed trained and if it was common now for Fire and Police Dispatch to be crossed trained and be a single employee. How successful has this been with no lack of efficiency and knowledge.

Chief Hammett stated that some agencies have been doing that for years.

Mayor Infeld noted that South Euclid dispatches are currently crossed trained.

Mrs. Cameron asked what would happen if a City were to opt out.

Mayor Infeld said she would image that in that case that City would have to find another COG to go to. Otherwise that City would have to obtain their own 911 equipment, etc.

Ordinance 2016-14 was placed on first reading.

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

There was no need for an Executive Session.
Directors’ Reports

Finance Director Larry Heiser reported that the City’s audit is finished and the next meeting with the Auditors will be the post-Audit meeting and the exit-Audit meeting.

There were no other Director reports.

Standing Committee Reports:

Civic Information Committee: Mr. Rach reported that the Memorial Day Parade Committee will meet on April 6th at 6pm in Council Chambers and that he will be meeting with previous Councilwoman Nancy English to finalize the transition for the Civil Information Committee with a meeting to follow that at a later time.

Finance Committee: Mrs. Pardee reported that there will be a Joint Finance and Finance Advisory Committee meeting on April 27th at 7:00pm and that Mr. Brad Glazer has expressed interest in joining the Advisory Committee.

Governmental Affairs Committee: Mrs. Weiss reported that there will be a committee meeting on April 12th and the agenda is forthcoming.

Mayor Infeld reported that this is the 50th anniversary of the Memorial Day Parade and that there will be new units and food trucks. Mayor Infeld also reported that the Grand Opening for the Park is still to be determined but making progress.

There being no further business, the meeting was adjourned at 9:00pm.

MOTION BY MR. SIMS, SECONDED BY MR. WISEMAN to adjourn the meeting. On roll call, all voted “aye.”

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Susan K. Infeld, Mayor

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Kelly M. Thomas, Clerk of Council