Mayor Infeld called the regular meeting to order at 7:01 p.m.

Roll Call:

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

Also Present: Law Director Luke McConville
Finance Director Larry Heiser
Clerk of Council Kelly M. Thomas
Police Chief Steven Hammett
Service Superintendent Jeffrey Pokorny
City Engineer Joseph Ciuni

Approval of Minutes from Regular Meeting September 6, 2016

Mr. Sims electronically submitted his corrections to page 6 of the September 6, 2016 Council minutes.

MOTION BY MR. RACH, SECONDED BY MR. SIMS to approve the Council Meeting Minutes from September 6, 2016 as corrected and presented. On roll call, all voted “aye,” except Mrs. Weiss who “passed.”

Comments from Audience

There were no audience comments.

Mayor’s Report to Community

- Chief Hammet, Chief Zook, Finance Director Larry Heiser and Mayor Infeld met with other members of the Joint Dispatch Center Board and also with representatives from the County. Meeting are held about every 3 to 4 weeks about various issues. The Joint Dispatch Center will model the Joint Dispatch that South Euclid currently uses for their Fire and Police 911 calls.
  o the dispatch center will be located at MetroHealth at Severance Circle in Cleveland Heights
  o will be approximately 2 years before the dispatch center is operational
  o once operational, the dispatch center will provide residents with better service for their safety

- New Community Park on Fenwick is opened and is being enjoyed by the community

Agenda Item:

A. Ordinance 2016-26 Adopting and Implementing the Procedures under Chapter 5722 of the Ohio Revised Code to Facilitate Reutilization of Nonproductive Land Situated in the City of University Heights (on second reading)

Mr. McConville provided an overview of Ohio Revised Code Chapter 5722 and cited the following principal advantages of or the utility of having a municipal land bank as opposed to having the County be in control of everything.

- City would be able to hold non-productive land and then sell it without having to go through public bidding process. This would give the City tight control over the future development or productive use of any particular parcel that is acquired.

- City would receive notification from the County of any non-productive land that is in tax foreclosure and being forfeited. By receipt of such notice the City will be given the opportunity to either accept that property at no cost into the land bank or to refuse. Since the City would be receiving notification it would be able to keep the majority of non-productive land from out of tax certificate sales. The property would be tax-free going forward as well as lien free.
City would have immunity from liability in the event of environmental issues/problems, etc.

Mr. McConville also noted that without the Land Bank the City is relying on the County and their timeframe.

Mayor Infeld noted that various properties within the City that had been declared nuisances and that action had been taken to demolish the property. Mayor Infeld added that each of the properties were brought before Council with its history and the reason(s) why it needs to be declared a nuisance.

Mr. Wiseman commented that he still had questions regarding what makes a property a nuisance, what are the characteristics, what does the City then do, how does the City declare properties a nuisance and which ones will be vetted for the land bank or disposed of by the City. All of these items should be written out in terms of a process and what notice would Council get regarding foreclosures. Mr. Wiseman noted that he thought this legislation was a good idea but would be hesitant to vote on until all the particulars are known.

Mayor Infeld replied that the City already has an Ordinance in effect regarding declaring properties nuisances and that anything outside of her disposal and spending authority has to be approved by Council. Lastly, this would follow the same process that the City is already doing with the County Land Bank Program.

Mr. McConville added that once the Building Commissioner feels that a property should be declared a nuisance it is presented to City Council for them to make the decision of whether or not to declare the property a nuisance. In terms of the process for tax foreclosures, the County contacts the city regarding the property being placed on the Sheriff’s sale listing to see if the City wants the property if it doesn’t sell at Sheriff’s sale and then to go into the City’s land bank. At that point it is an Administrative decision as to whether to execute an affidavit and acquire the property into the land bank. What is done with the property is a funding question.

Mrs. Cameron asked if the City was venturing into the Real Estate business and if so how would it operate. Mayor Infeld replied that it would be rare for that to happen and that this legislation is not meant as a mechanism to be used in large numbers, it is meant to maintain the neighborhoods.

Mrs. Cameron reiterated the need to have a set of instructions that would explain all of the particulars. Mr. McConville noted that the Administration would make decisions based on a case by case study.

Mr. Rach commented that this provides the flexibility and oversite to Council and the Administration for properties. Mr. Rach noted that the City has Boards (Planning Commission and Architectural Review) in place to provide experts advice in regards to what could be done with those properties.

Mrs. Pardee asked if this legislation would expedite the process of handling nuisance properties. Mr. McConville answered yes; this legislation would allow the City to determine what will happen to nuisance properties and create a time frame for resolution.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL approving Ordinance 2016-26 Adopting and Implementing the Procedures under Chapter 5722 of the Ohio Revised Code to Facilitate Reutilization of Nonproductive Land Situated in the City of University Heights. On Roll Call, all voted “aye,” except Mr. Wiseman and Mrs. Cameron who voted “nay.”

B. Resolution 2016-34 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 second reading)

Mr. Heiser stated that the rates and amounts are the same as they were in 2015.

There was no further discussion.

MOTION BY MR. ERTEL, SECONDED BY MRS. WEISS approving Resolution 2016-34 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.”
C. Ordinance No. 2016-35 Authorizing the Transfer of Funds from the General Fund $350,000 to Street Fund (201), Street Lighting (204), Capital Projects (401), Police Pension (601), and Fire Pension (602) (on second reading)

There was no discussion for this item.

MOTION BY MRS. PARDEE, SECONDED BY MR. RACH for the passage of Ordinance No. 2016-35 Authorizing the Transfer of Funds from the General Fund $350,000 to Street Fund (201), Street Lighting (204), Capital Projects (401), Police Pension (601), and Fire Pension (602). On Roll Call all voted “aye.”

D. Resolution No. 2016-38 Authorizing the Mayor of University Heights to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and / or Local Transportation Improvement Program(s) and to Execute Contracts as Required (on emergency)

Mr. Ciuni reported that the project is for the resurfacing of Silsby Road (Warrensville Center Road to South Taylor Road) with the replacement of the curbs as well. The estimate cost of the project is $835,000; the grant application is for $400,000, the City of Cleveland Heights will put in $225,000 and University Heights will put in $210,000.

MOTION BY MRS. WEISS, SECONDED BY MR. ERTEL for the passage of Resolution No. 2016-38 Authorizing the Mayor of University Heights to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and / or Local Transportation Improvement Program(s) and to Execute Contracts as Required. Roll Call on Suspension of the Rules, all voted “aye,” and Roll Call on Passage, all voted “aye.”

E. Ordinance No. 2016-39 Amending Section 2 Of Ordinance No. 2016-04 by Updating Annual Compensation Rate of Specified Employees (on emergency)

Mayor Infeld stated that she was requesting that the Director salary ranges be expanded to provide her with more flexibility to extend counter offers to an employee who could possibly be approached by another municipality with a larger salary. Mayor Infeld noted the Ordinance is on emergency because she was currently interviewing for a new Building Commissioner.

Mrs. Weiss noted in light of the lengthy discussion that was had when Ordinance 2016-04 was passed Mrs. Weiss acknowledge Mayor Infeld concern in her current position of needing to hire a new Building Commissioner and her need to be able to offer a salary that was in range with the position and asked the Mayor where/how she chose the figures for the other proposed increases in the other director positions.

Mayor Infeld replied that she checked with surrounding cities and that even after salary increases with Ordinance 2016-04; University Heights is on the low side of salary ranges. Mayor Infeld added that puts the city at a disadvantage when someone is offered a position by another city with a wider salary range.

Mr. Sims asked Mayor Infeld if the ranges that are being established weren’t an attempt to raise anyone’s salary to that level; but, if it was an attempt to raise a particular person’s salary to a level different than what currently exist Council would be notified.

Mayor Infeld replied yes, as the Ordinance states; she would bring it to Council. Thus far raises have matched the negotiated raises.

MOTION BY MR. SIMS, SECONDED BY MR. ERTEL for the passage of Ordinance No. 2016-39 Amending Section 2 of Ordinance No. 2016-04 by Updating Annual Compensation Rate of Specified Employees. Roll Call on Suspension of the Rules, all voted “aye,” except Mr. Wiseman who voted “nay;” Roll Call on Passage, all voted “aye,” except Mr. Wiseman and Mrs. Cameron who voted “nay.”

F. Resolution No. 2016-40 Cooperative Agreement between the Cities of University Heights and Cleveland Heights to Jointly Submit an Application to the Ohio Public Works Commission for funding for Silsby Road Improvements between Warrensville Center Road and South Taylor Road (on emergency)

Mr. Ciuni noted approval of this Resolution was a requirement of the grant application and that University Heights is the lead city and Cleveland Heights is the secondary city.

MOTION BY MR. ERTEL, SECONDED BY MR. RACH for the passage of Resolution No. 2016-40 Cooperative Agreement between the Cities of University Heights and Cleveland Heights to Jointly Submit an Application to the Ohio Public Works Commission for funding for Silsby Road Improvements between Warrensville Center Road and South Taylor Road. Roll Call on Suspension of the Rules, all voted “aye,” and Roll Call on Passage, all voted “aye.”
G. **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**

**Police Chief ~ Steven Hammett** had no reported. Mr. Sims asked Chief Hammett what the timeframe was for the street stripping that was occurring during the evenings. Chief Hammett replied that the project is almost completed.

**Mayor Infeld** reported that Mr. Tuck-Macalla is providing the City if support in signing permits, applications and inspecting projects during the evening when requested.

Mrs. Weiss asked Mayor Infeld if Mr. Tuck-Macalla was receiving compensation for that. Mayor Infeld replied Mr. Tuck-Macalla will be compensated at a rate of $50 per hour, but noted Mr. Tuck-Macalla hadn’t billed the City for anything he’s had done thus far.

Mr. Sims asked if inspections were still being done. Mayor Infeld replied that all inspections are still being done.

**Service Superintendent ~ Jeffrey Pokorny** reported that new community park is almost complete and there is just punch list items to be finish and that the City is still holding retainage fees until completion.

Mrs. Pardee asked when the temporary fencing would be down. Mr. Pokorny replied the temporary fencing would be removed once the City takes over full ownership of the park.

There were no other Director reports.

**Standing Committee Reports:**

**Building Committee:** Mr. Wiseman noted that a Building Committee will be scheduled sometime during the last weeks of October 2016.

**Civic Information:** Mr. Rach made the following report: (1) the Technology Committee meeting will be rescheduled, (2) Civic Information and Governmental Affairs met jointly along with representatives from the Cedar Taylor Retail Association; and (3) will meet regarding Senior Transportation contract.

**Finance Committee:** Mrs. Pardee stated that budget hearing will be in October, November and December 2016.

Mrs. Pardee also reported that the Council of the Whole Committee met along with 3 members of the Shaker Heights Council to discuss fire dispatch.

**Governmental Affairs:** Mrs. Cameron reported the committee is waiting for the Law Director to complete the Ordinance regarding minority and small business bidding language.

**Service – Utilities Committee:** Mr. Sims will schedule a meeting sometime in October or November 2016.

There being no further business, the meeting was adjourned at 8:34pm.

**MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to adjourn the meeting. On roll call, all voted “aye.”**

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Susan K. Infeld, Mayor

Kelly M. Thomas, Clerk of Council