There was a Pre-Council celebration held at 7:00pm to honor Councilwoman Nancy English and Councilwoman Adele Zucker as well as the Geraci Family as the 2015 University Heights Citizen of the Year.

Mayor Infeld called the regular meeting to order at 7:36 p.m.

Roll Call:

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

Also Present: Law Director Luke McConville
Finance Director Larry Heiser
Clerk of Council Kelly M. Thomas
Police Chief Steven Hammett

Pledge of Allegiance

Approval of Minutes

Minutes from Council meeting December 7, 2015

Mr. Wiseman corrected the typo on page 5 of 7 item I, seconded paragraph the word “prescribes” should be “proscribes”.

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to approve the Council minutes of December 21, 2015 as corrected. On roll call, all voted “aye.”

Comments from Audience

There were no audience comments.

Mayor’s Report to Community

• The December Newsletter is out to the community and is also posted to the City’s website.
• Reports from the Cuyahoga County Board of Health Annual Report and the County Prosecutors Office are available in the City Hall lobby.

Agenda Item:

A. Proclamation honoring the Geraci Family as the City of University Heights’ 2015 Citizen of the Year.

Mayor Infeld read and presented the Proclamation honoring the service that the Geraci Family has provided to the City of University Heights. The Geraci restaurant is known throughout the United States and was featured on the well known “Diners, Drive-ins and Dives” on the Food Network cable station.
Mayor Infeld stated the need to add two resolutions to the Council agenda.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN to add Resolution 2015-50 honoring Councilwoman Adele H. Zucker and Resolution 2015-51 honoring Councilwoman Nancy E. English to the agenda as items N and O on the Council agenda and to alter the order of the agenda to consider the Resolutions at this point in the meeting. On roll call, all voted “aye.”

Vice Mayor Pardee read into the record the following: “Tonight, we are also honoring two of our colleagues whose elected terms are coming to an end – Councilwomen Nancy English and Adele Zucker. Both, love this City and this is evident in the time, energy and thoughtful consideration they have given to the matter that have come before us.

Nancy English had already served the city as Clerk of Council for 20 years – providing unflagging support and assistance to numerous Council members and Mayors. Her knowledge and experience have proven to be invaluable to us. In her two short years as a member of Council, she has made significant contributions. She will be sorely missed.

Adele Zucker has provided 30 years of service to the City as both a Councilwoman and the Vice Mayor. She has helped to enact some of the most important legislation that has come to shape our City as we know it today. She too will be sorely missed.

We have been fortunate to have the benefit of two such knowledgeable, caring and experienced colleagues on Council. And both are defined by a great love of, and devotion to the City of University Heights. I am honored to have served with both of you. Yours will be hard shoes to fill.

N. Resolution 2015-50 A Resolution Honoring Councilwoman Adele H. Zucker upon her retirement.

Each member of City Council, Mayor Infeld and Law Director McConville read a portion of Resolution 2015-50 honoring Councilwoman Adele H. Zucker.

Councilwoman Zucker thanked everyone and stated it had been a pleasure working with everyone.


O. Resolution 2015-51 A Resolution Honoring Councilwoman Nancy E. English upon her retirement.

Each member of City Council, Mayor Infeld and Law Director McConville read a portion of Resolution 2015-51 honoring Councilwoman Nancy E. English.

Councilwoman English expressed her gratitude for the ability to serve the citizens of University Heights for the past two years and thanked everyone who gave her their vote of confidence and encouragement during her time on Council. Ms. English also thanked the members of Council for making this a rewarding experience for her by working together for the betterment of the City and noted that she was proud of what Council accomplished during her term.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON approving Resolution 2015-51 Honoring Councilwoman Nancy English upon her retirement. On roll call, all voted “aye,” except Ms. English who “passed.”

B. Proclamation congratulating Emily Infeld on winning the Bronze Medal in the 2015 IAAF World Track & Field Championships

Mayor Infeld read and presented the Proclamation congratulating Emily Infeld on winning the Bronze Medal in the 2015 IAAF World Track & Field Championships.
C. **Certificates of Recognition congratulating the Gesu School Boys and Girls Cross Country Teams on their first and second place finishes in the 2015 CYO City Championship Cross Country Meet**

Mayor Infeld read and with the help of Ms. Emily Infeld presented Certificates of Recognition congratulating the Gesu School Boys and Girls Cross Country Teams on their first and second place finishes in the 2015 CYO City Championship Cross Country Meet.

D. **Motion approving the 2015 revision to the Mutual Aid Agreement between the City of University Heights police department and the John Carroll University police department**

Police Chief Hammett explained the only difference between this agreement and the previous agreement is the Title 9 addendum which governs local police presence on college campuses. The local police departments get involved when there are sexual assaults. The University’s police have to be in compliance with all of the Federal Title 9 requirements. Chief Hammett noted that the Ohio Supreme Court ruled that University Police Department records are not treated any differently than Municipal Police Department records and are considered public records. In the past University Police Department records were treat as private records.

**MOTION BY MRS. ZUCKER, SECONDED BY MS. ENGLISH approving the 2015 revision to the Mutual Aid Agreement between the City of University Heights police department and the John Carroll University police department. On roll call, all voted “aye.”**

E. **Motion Accepting the new hourly rates for engineering services provided by City Engineer Joseph Ciuni and the GPD Group**

Mayor Infeld stated that the fee schedule represents the retainer fee and the cost for providing extra services. Mayor Infeld noted that it is an increase of 2.25% and that the rate is fair especially with Mr. Ciuni’s previous knowledge of University Heights.

Mrs. Infeld noted that she checked what the neighboring communities; Cleveland Heights, South Euclid and Shaker Heights engineering fees where.

Mayor commented to Council that since they were just receiving this information, if they wanted to table this item until the next meeting to give them time to review it that would be fine.

Mrs. Pardee asked if the rates increase every year.

Mr. Ciuni replied that the rates are generally increased yearly.

**MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to table the Accepting of the new hourly rates for engineering services provided by City Engineer Joseph Ciuni and the GPD Group. On roll call, all voted “aye.”**

F. **Motion Authorizing the Mayor to enter into an agreement with the Cuyahoga County Planning Commission to provide professional planning services for a University Heights Community Survey, in conjunction with the Master Plan process, at a cost not to exceed $8,400.**

Mayor Infeld reported that the Master Plan process is under way and the thus far the following have been created; an internal staff committee, a steering committee with people from different segment of the community (business, university, residents, members of Board of Zoning, etc.), two public meetings have been held. One of the goals is to make this Master Plan the best master plan possible; this will be accomplished via more public input to make sure all aspects are covered.
Mrs. Pardee commented that she agreed with Mayor Infeld about surveying residents and was glad that she placed this on the agenda as Council should get as input as it possibly can. Mrs. Pardee stated she was very interested in the survey and noted that she had three original concerns and they haven’t gone away; (1) cost cited by the Planning Commission, (2) the door to door delivery method and (3) Council’s ability to add questions. This is an unprecedented opportunity for Council to gather information. Mrs. Pardee added that she knew that there are things that the (County) Planning Commission wants and sees as necessary; but for this Council to gather some very rudimentary information that would help inform Council’s work and how Council can get people in the community engaged shouldn’t be passed up. Mrs. Pardee said her question really was what is the timeline, could this be referred to a Council Committee to consider and to look through for some answers to those questions and what is the timeline by which we (Council/City) really need to have something like this out in the context of the master plan process?

Mayor Infeld replied that ideally it should go out in January because they will finish the planning process in March. In order to incorporate any of the information there has to be enough time to accomplish that. Mayor Infeld noted that there would not be enough time for Council to consider this in committee; if it were to go to committee and not be addressed for a month or so would be too late. In terms of Council’s adding or looking over questions should not be an issue. Mayor Infeld added that the $8,400 is the questions and the delivery method will probably be bulk mail to every single house in the city and then randomly select houses with a stamped returned envelope and/or have a service box for drop-offs at various locations around the city.

Mrs. Pardee asked if Council could see the questions.

Mayor Infeld replied that the City hired the County Planning Commission to conduct the survey, but she would contact the County to see if that would be possible.

Mr. Wiseman asked Mayor Infeld to have the County Planning Commission to come to the next Council meeting to allow Council to ask questions. Regarding the distribution of the survey, Mr. Wiseman clarified that the survey would be delivered to every house via bulk mail and that selected houses would also received a stamped envelope survey. Mr. Wiseman asked about sending letters to residents to come to City Hall to complete the survey.

Mayor Infeld commented that she had conducted a survey previously with a John Carroll professor and noted that she would contact him the following day.

Mrs. Pardee questioned if the cost has change because the original proposal was dated May 12, 2015.

Mayor Infeld replied that the cost had not changed.

Mr. Sims asked about the ability to have electronic responses to the survey.

Mayor Infeld cautioned that there are residents who don’t use electronic devices.

**MOTION BY MR. WISEMAN, SECONDED BY MRS. PARDEE** to table Authorizing the Mayor to enter into an agreement with the Cuyahoga County Planning Commission to provide professional planning services for a University Heights Community Survey, in conjunction with the Master Plan process, at a cost not to exceed $8,400 until January 2016. On roll call, all voted “aye,” except Mr. Sims who “passed,” and Mrs. Cameron who voted “nay.”

**G. Ordinance 2015-47 Authorizing the transfer of funds from the general fund $92,246.81 to the street fund (201) and capital projects fund (401) (second reading)**

There was no discussion regarding this item.

**MOTION BY MR. ERTEL, SECONDED BY MRS. ZUCKER** approving Ordinance 2015-47 Authorizing the transfer of funds from the general fund $92,246.81 to the street fund (201) and capital projects fund (401). On roll call, all voted “aye.”
H. Ordinance 2015-48 Authorizing the return of advanced of funds from the Park Fund (206) to the General Fund (101) (second reading)

Mr. Sims asked if the title could be corrected for clarity and recommended that it read “the return of Advanced Funds from the Park Fund to the General Fund.

Mr. Heiser replied the correction would be made.

MOTION BY MRS. CAMERON, SECONDED BY MS. ENGLISH approving Ordinance 2015-48 authorizing the return of advanced of funds from the Park Fund (206) to the General Fund (101) with the removal of the word “of” before funds in the title. On roll call, all voted “aye.”

I. Ordinance 2015-49 Appropriating Funds for Current Expenses and Other Expenditures of the City of University Heights, Ohio for the Period Commencing January 1, 2016 and Ending December 31, 2016 (on second reading)

Mrs. Pardee reported that the Joint Finance and Financial Advisory Committees met three times to review the 2016 budget and recommend the passage of it as presented to City Council.

Mr. Sims asked Mr. Heiser what would happen if a new program were to surface.

Mr. Heiser stated that he would present a budget amendment for approval by Council.

MOTION BY MRS. PARDEE, SECONDED BY MR. SIMS approving Ordinance 2015-49 Appropriating Funds for Current Expenses and Other Expenditures of the City of University Heights, Ohio for the Period Commencing January 1, 2016 and Ending December 31, 2016. On roll call, all voted “aye.”

J. Ordinance 2015-52 Temporarily Appointing Luke F. McConville as Law Director Effective January 1, 2016 for a Temporary Term Expiring at the end of January 31, 2016 (on emergency)

Mayor Infeld stated that this was being presented on emergency because of timing to make the Law Director contract more in line with the Council calendar.

Mr. McConville noted that the timing issue is that if the Ordinance is passed in December, the term will expire before January 1, 2018. So, if there is a new Council in 2018 they will be able to appoint the Law Director without there being a lapse in coverage. Mr. McConville added that per law the Law Director cannot be appointed for a period of more than two (2) years.


K. Motion Accepting the 2016-2017 Catch Basin, Inlet Sewer Cleaning & Televising Program bid and to enter into contract with AAA Flexible Pipe Inc. in an amount not to exceed $300,800.00

Mr. Ciuni, City Engineer reported that five (5) bids were received and that AAA Flexible Pipe was the low bidder. Mr. Ciuni noted that AAA has performed satisfactory for the City in previous years and recommended the approval of their bid.

MOTION BY MRS. CAMERON, SECONDED BY MS. ENGLISH accepting the 2016-2017 Catch Basin, Inlet Sewer Cleaning & Televising Program bid and to enter into contract with AAA Flexible Pipe Inc. in an amount not to exceed $300,800.00. On roll call, all voted “aye.”
L. Motion Accepting the 2016-2017 Emergency Sewer Repairs Project bid and to enter into contract with Fabrizi Trucking & Paving Company in an amount not to exceed $248,480.00

Mr. Ciuni stated that 3 bids were received and that this project is on an “as needed basis”. The project completes street and sewer repairs, corrects damage to underground pipes, etc. The contract will be for a 2-year period with the option to be extended for 1 additional year. If the contract is extended to the third year, the contractor has the right to revise the price. Mr. Ciuni recommended the approval of Fabrizi Trucking and Paving for the project.

Mrs. Cameron asked Mr. Ciuni if he had any concerns with the estimated engineer cost being much higher that the low bidder.

Mr. Ciuni said no.

Mr. Sims asked if the current contract had a third-year option.

Mr. Pokorny replied no.

Mr. Sims asked if the third-year option is chosen would Council have to approve it.

Mr. McConville answered that entering into the third-year option is an administration function and would not require the approval of Council.

Mayor Infeld added that the Administration would base it decision on the company’s performance and the cost.

Mr. Sims asked what would be considered a reasonable cost increase.

Mr. Ciuni replied the cost of living.

Mr. Sims summarized that the increase for the third year would be no more than the cost of inflation.

MOTION BY MR. SIMS, SECONDED BY MRS. ZUCKER accepting the 2016-2017 Emergency Sewer Repairs Project bid and to enter into contract with Fabrizi Trucking & Paving Company in an amount not to exceed $248,480.00 with the third-year option. On roll call, all voted “aye.”

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

Mayor Infeld stated there was no need to hold executive session.

Directors’ Reports

There were no Director reports.

Mayor Infeld reported that the County removed 3901 Silsby from the nuisance listing.

Standing Committee Reports:

Building Committee: Mr. Sims stated that the Building Committee meeting will be rescheduled to review the legislation regarding daycares in January.

There were no other standing committee reports.
MOTION BY MR. WISEMAN, SECONDED BY MR. ERTEL to adjourn the meeting. On roll call, all voted “aye.”

There being no further business to discuss, the meeting was adjourned at 9:18pm.

Susan K. Infeld, Mayor

Kelly M. Thomas, Clerk of Council