Mayor Infeld called the regular meeting to order at 7:02 p.m.

Roll Call:

Present:  
Mrs. Susan Pardee  
Mrs. Pamela Cameron (7:10)  
Mr. John Rach  
Mr. Phillip Ertel  
Mr. Steven Sims  
Mrs. Michele Weiss  
Mr. Mark Wiseman (7:04)

Absent:  
Mr. Mark Wiseman  
Mr. Steven Sims  
Mrs. Pamela Cameron

Also, Present:  
Law Director Luke McConville  
Finance Director Larry Heiser  
Clerk of Council Kelly M. Thomas  
Police Chief Steven Hammett  
Fire Chief Douglas Zook  
Building Commissioner Larry Brown

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS to excuse the absences of Mrs. Cameron, Mr. Sims and Mr. Wiseman. On roll call, all voted “aye.”

Approval of Minutes from Regular Meeting December 5, 2016

Mrs. Pardee noted a correction on page 7.

MOTION BY MRS. WEISS, SECONDED BY MR. RACH to approve the Council minutes from December 5, 2016 as presented and corrected. On roll call, all voted “aye.”

Approval of Minutes from Regular Meeting December 19, 2016

Mayor Infeld commented that she did not have the chance to review the minutes.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN to table the Council minutes from December 19, 2016 until the next meeting. On roll call, all voted “aye.”

Comments from Audience

Mr. Case 3497 Tullamore Road was present and commented that although things look like they are moving in a positive direction regarding the City handling the nuisance house located next door to him at 3505 Tullamore, he mentioned that he stands behind the City; but, they are nowhere near the finish line taking care of the situation. Mr. Case added that there are raccoons living in the house and that also needs to be taken care of immediately.

Mayor Infeld told Mr. Case that the animal control will go out to take care of the raccoons.

Mayor’s Report to Community

Mayor Infeld provided the following report.

- The EPA notice regarding permits and clean air advisories are posted in the Lobby
- A reminder that various County Agencies annual reports are available in the Lobby
- The Beth El-Heights Synagogue is collecting food for their food drive on January 15 from 10am – 2pm; the food will be taken to the Heights Emergency Food Center on Mayfield Road near Lutheran High School. Details can be found on the flyer posted in the lobby
- John Carroll University is hosting a candle light vigil for Human Trafficking on January 26 at 7pm in the St. Francis Chapel. Additional information can be found on John Carroll website.
Mayor Infeld stated she received a request from City Council to add the discussion regarding 3505 Tullamore Road to the agenda.

**MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to add the discussion regarding 3505 Tullamore Road to the agenda. On roll call, all voted “aye.”**

Mayor Infeld reported on the status of the evaluation of 3505 Tullamore by the Cuyahoga Landbank. It is moving forward independent of any City action because it was already in their plans.

Mr. McConville stated that in speaking with the Landbank’s Law Department a decree of foreclosure has been issued. The Landbank is anticipating acquiring title to the home mid to late January. The Landbank has also indicated that once they acquire possession of the property they will make a fairly immediate determination as to whether the property is fit for rehabilitation or if it should be demolished. The Landbank indicated that in the event that the property should be demolished, that would occur quickly and probably within mid to late March, weather depending. If the Landbank determines that the house should be rehabilitated then the Landbank will immediately; secure the property, and perform some site maintenance and make assurances that the property no longer appears abandoned. If the property is rehabilitated, Mr. McConville added that the Landbank will not commit to a timeframe as to when the renovation would be accomplished because it is variable due to a number of factors. In the meantime, the City has solicited bids and has ordered title work so that the notice process can begin if that is Council’s desire, even though the Landbank will have title. Mr. McConville said he should have title work within the next few days.

Mr. Wiseman stated he had spoken with a representative for the Landbank (Gus Frangos, President and General Counsel) Cuyahoga County Land Reutilization Corp. and also had scheduled a meeting for the Building Committee in the hopes that the Landbank would come address some of the timeline issues with Council. Mr. Wiseman noted that he cancelled the committee meeting because he had received answers to the timeline issues via email. Mr. Wiseman read the email into the record. “I am made aware of the concern over the captioned property. This property was scheduled for a nuisance abatement demo using County Demo funds, but was delayed I believe in part due to the county system generally, but most importantly from our standpoint, due to incomplete notices to subordinate lien holders. At this point, all of that should be moot because the property is about to come into our inventory and we will take it down. So, while the Council has passed it required ordinance and appropriated money for the demo, I think it would be a waste of the City’s money at this point and will likely raise additional minefield issues because not everyone is familiar with the asbestos survey, remediation and 10-day notice rules. Once we acquire it of course, notices etc., are no longer required. That is my suggestion. From the time we get it to the time we do the survey, remediation, 10-day and procure then demolition, the City will likely still be waiting for the appeal period to expire. And then, it will have to do all the diligence described above. Our process is that once we get the property, we evaluate the property thoroughly to see if it indeed warrants demolition. If it does it should be somewhere around late February or by the end of March depending on whether. If it is a good property and warrants rehab, I think you know that we do good rehabs and we will be the same here if that is how it shakes out. Once we acquire the property, we take significant photos and make qualitative assessments which I am willing to share with the Mayor and the Council.”

Mayor Infeld commented that the Landbank is rather far along in the process and independent of the City moving forward.

Mr. McConville stated that it is apparent that the timing issue shows that the Landbank would acquire title to the property long before the City would even perfect our notice process.

Mrs. Pardee stated that the City of University Heights has a Landbank. So, when the Cuyahoga County Landbank takes title what prevents them from turning the property over to the City of University Heights’ Landbank since the city already has bids for demolition so the project can move forward and avoid the other timeline.

Mr. McConville replied that would mean that the City pay for the cost of demolition and not utilize County funds. Mr. McConville said that the County Landbank would move through the process of having the house demolished quicker than the City would.

Mrs. Pardee questioned what the purpose of signing with the Agreement with Landbank was. In referring to the Demolition Program Cooperative Agreement with the County Landbank, Mrs. Pardee said the agreement made multiple references to the municipality receiving/granted funds, so, if the City is in the agreement and demolishes the house and submits/documents everything as outlined for the expenses; why wouldn’t the City receive reimbursement from the County except for there the agreement states that the municipality must issue proceed orders to its contractors within a certain period. Mrs. Pardee asked if the City had issued any order to the Landbank or any other agency.
Mr. McConville said that a notice to proceed would occur after the City perfected notice. In other words, the City would let the Landbank know that everything was ready to proceed at which time the County would engage their contractors.

Mrs. Pardee again noted that throughout the agreement it references to the municipality making the decisions, bidding out, getting bids in lined with the City’s Charter or ordinances. Mrs. Pardee voiced her thoughts that there are a lot of road blocks getting this done and the desire not to follow a timeline. Mrs. Pardee also stated she wondered how she would feel if she were the next-door neighbor who came to the City begging for help to only be repeatedly told; wait a little longer, there’s another step, we don’t want to use City money and the Landbank says maybe we will demo it maybe we will salvage it, etc. there is still nothing specific. On the other hand, Council, has come up with something specific; if the Landbank gains title, gives the title to the City Landbank; and, the City proceeds and submits the required documentation it wouldn’t spend City dollars and the house would be demolished.

Mr. McConville replied that if the Landbank rules to demolish the property they would take it down much quicker that the City could. The City does not have the title work back from the title company saying who the lienholders are (if any) on the property.

Mayor Infeld stated that the City can’t just jump in the middle of the Landbank’s process, borrow from the work they’ve completed and rely on that to protect the City legally in the event something goes wrong with the demolition and the property. The City has to start the process from scratch.

Mr. McConville stated that the Landbank has said it won’t commence a notice process because they will acquire the property via foreclosure to eliminate any legal risk.

Mr. Sims stated that the legislation states that the City demolish the property within 60 days. He stated he was ok if Landbank acquires the property and determines that it should be demolished and that they can get that accomplished before the City can. Mr. Sims asked what the Landbank’s process would be if they deem the house is worth being salvaged; this is something Mr. Sims would prefer to see happen. If that were the case, could someone other take responsibility of rehabbing the property in order to get it done quicker? Mr. Sims also asked how would the Landbank secure the property differently than what is today so that it’s not the nuisance that it is today.

Mr. McConville replied he couldn’t answer that because the information that the Landbank provided was not specific to those points. However, the Landbank does make regular site visits and conducts necessary maintenance.

Mayor Infeld stated that at the time the City applied for funding when this house was declared a public nuisance the City didn’t have a Landbank in place. The funding that was granted for the demolition required the City used the County Landbank. The funding window was 18 months and the City is in month 12.

Mr. McConville said he was not aware of the Landbank farming their work out to a third party, they do all the work themselves.

Mayor Infeld said the County Landbank doesn’t give the responsibility to a third party when houses are rehabbed. But, if the City could use its own city Landbank and has actually been approached by an interested someone who rehabs homes and has done work in University Heights.

Mr. Brown reported he received one bid in the amount of about $28,383

Mr. Sims asked why only one bid was received.

Mr. Brown stated that it was possibly due to the recent holidays. He sent the bid information out to about 10 companies but only one has been received.

Mrs. Pardee stated that the former Finance Director stated that last year’s bids were received in a much lesser amount then the $28,000.

Mr. Brown stated that he got new estimates because the others were over a year old and also to ensure that the specs were correct and with the complete work necessary.

Mr. McConville stated it typical that an environmental assessment done when houses are demolished to check for things such as asbestos.

Mr. Wiseman asked if the Landbank was consulted with for names of companies, possible prices, specs, etc.
Mr. Brown said he did and was waiting for the correct persons from the Landbank to call him.

Mr. Rach commented that the City has a good opportunity to team with the County Landbank to expedite this process so that it completes within the 60-day deadline.

Mayor Infeld replied that she trusts the County Landbank in moving forward with the project.

**Agenda Items:**

A. **Resolution 2017-01 Authorizing the Mayor to sign and enter into Agreement for the Heights-Hillcrest Technical Rescue Team**

Chief Zook said for years University Heights has teamed with Beachwood, Cleveland Heights, Shaker Heights and South to equip and staff a special rescue teams that handle special rescues such as persons trapped in trenches, persons who have fallen down ravines, etc. The resolution proposes University Heights joining a larger combined rescue team through a merger of the Heights-Hillcrest Technical Rescue Team. The Heights-Hillcrest Technical Rescue Team combines the Heights Technical Team with the Hillcrest Team (Lyndhurst, Highland Heights, Mayfield, Mayfield Heights, Gates Mills, Pepper Pike, Richmond Heights and Willoughby Hills) to reach greater efficiencies as well as provide equipment and training that goes beyond what University Heights has. Chief Zook explained the costs involved for University Heights which will rise to $6,000 (from the current $2,820) in 2022. He also stated that in today’s dollars, University Heights spends an additional $9,000 in overtime for the training. Historically the Heights Rescue Team was funded on a prorated basis, so the smaller communities paid less than the larger communities. In 2016 University Heights paid $2,820.00 plus the cost of personnel @$9,000. The Hillcrest Team charges it’s communities the same rate regardless of size, the proposed Heights-Hillcrest team funding rate over the next five years there will be a transition where University Heights would pay a $6,000 each year until year five. The $6,000 covers the cost of the specialized equipment. In summary, this agreement will provide University Heights with special rescue services and with the reciprocal agreement hazardous material response at no additional charge. Chief Zook stated that the demographics of University Heights doesn’t lend it to have a great need to use these types of services, but recommended approval of the agreement. Discussion ensued on the costs versus the benefits of this service. If down the road, the City finds a more prudent way to provide these services then we could take advantage of the option to opt out upon 90-day notice to the team. Chief Zook also recommends that in 2017 the city looks at how the new team is actually operating, how often University Heights is called out, how often University Heights use the team, how much the city’s cost is (participation and personnel).

Mrs. Weiss asked if there was another option.

Chief Zook replied no. But added non-participating community can still have access to the services on a fee by call bases with a cost of $6,000 plus equipment and personnel per call. Over the last three years University Heights has only use the services once and in that case, it wasn’t really necessary. Chief Zook also stated he will check with the Chagrin Southeast Hazardous Materials Team to see if they have a comparable service on a per call bases.

Mr. Wiseman commented that he appreciated Chief Zook recommendation that Council approves entering into agreement and then backing out later if deemed not necessary. Mr. Wiseman stated that he didn’t believe enough information and he didn’t hear that the City wasn’t covered by some sort of task team. And that he would like to see what the actual cost are to the City so that Council would know how to measure as the years go by to determine how many times the service has been used. Mr. Wiseman said he would be glad to vote yes, once the annual reports showing the cost, including personnel failing any other options that the City would be covered by because it sounds like the City is covered.

Mrs. Weiss added that she didn’t think University Heights needs to be a part of this rescue team but that there is value in training the University Heights Firemen and that would be the reason she would vote in favor of this.

Mr. Sims also said he didn’t believe the City needed this as well, but he would be willing to let the Fire Chief determine it definitively and report back in after the first payment has been made as to whether or not it should be continued.

**MOTION BY MR. RACH, SECONDED BY MR. SIMS approving Resolution 2017-01 Authorizing the Mayor to sign and enter into Agreement for the Heights-Hillcrest Technical Rescue Team. On roll call, all voted “aye,” except Mr. Wiseman who voted “nay.”**
B. Ordinance 2017-02 Update and Correlation of Codified Ordinances 1446.01 and 1498.15 in Reference to Street Numbers as they appear on Buildings (on first reading)

Mr. Brown stated in reviewing the City’s code book he became aware that there are two different measurements for house numbers. Mr. Brown added that he combined the two measurements to allow for the correct enforcement of them.

Mr. Rach commented that one code states the numbers should be 3 inches and the other was 2.5 inches and asked what would be the numbering format because some houses use script writing. Mr. Rach caution about the severity of possible imprisonment and $1,000 penalty under section 1446.99.

Mr. Sims asked if Council gets to set what the penalty is and in making this change will any assistance be given to residents to help them move from non-compliance because the majority of the house on his street have their addresses on placards in the lawn and not directly on the house. Mr. Sims agreed that this is a good idea from a safety standpoint but also agrees with Mr. Rach regarding the penalties.

Mr. Brown stated that residents can have their addresses on placards in the ground provided that they are high enough off the ground and are placed near the front entrance of the house.

Mr. Wiseman stated that he would be in favor of two changes; the address has to be either on the house or prominently displayed in the yard and secondly changing the penalty provision to something else.

Mayor Infeld said that this topic is discussed in the current community newsletter and suggested that this be reviewed by the Building Committee. This item was tabled for review by the Building Committee.

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

Mr. Ciuni stated the increase amount represents a cost of living increase for the employees.

Mr. Rach asked if the rates are the same for the other communities GPD serves and if the rates are lower than the charge for private clients. Mr. Rach added that the rates are in line with Federal General Services Administration’s rates for engineering services.

Mr. Ciuni stated Mr. Rach was correct.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN accepting the new 2017 hourly rates for engineering services provided by City Engineer Joseph Ciuni and the GPD Group. On Roll Call, all voted “aye.”

D. Resolution 2017-03 Approving Pick-Up of Service Credit for Bargaining Unit Members Per OAC 742-7-14

Mr. McConville and Mrs. Pardee provided corrections to the wording listing in Resolution 2017-03.

Mayor Infeld noted that these contributions are permitted by state law. The Police and Fire Pension funds requires this Resolution and it will cover all the Police and Fire employees who qualify to purchase service credit.

Mr. McConville stated that in the past the City has never paid the employee an additional amount and Mr. McConville added he verified with the Pension Board that the City still isn’t being asked to pay an additional amount. The intent is for the employee’s pay to remain the same, it just where the money is allocated.

MOTION BY MR. WISEMAN, SECONDED BY MRS. WEISS to approve Resolution 2017-03 Approving Pick-up of Service Credit for Bargaining Unit Members per OAC 742-7-14 as corrected by Mr. McConville and Mrs. Pardee. On roll call, all voted “aye.”
H. **Motion to hold an executive session immediately following this regular meeting for the purpose of discussing personnel, legal and real estate matters**

There was no need to hold an executive session.

**Directors’ Reports**

**Finance Director**

Mayor Infeld announced that today was Mr. Heiser first day as Finance Director for the City of Beachwood. An ad for the position has been placed in various media. She is in the process of receiving resumes and scheduling interviews. Mayor Infeld added that she hopes to have someone in placed as soon as possible. Mr. Heiser will be helping in the interim.

Mrs. Pardee asked the status of Council’s request for residents’ comments from the City’ Masterplan survey. Mayor Infeld replied she would check with Mr. Grogan.

There were no other Director reports.

**Standing Committee Reports:**

**Building Committee:** Mr. Wiseman stated that another Building Committee meeting will be scheduled in the near future.

**Civic Information Committee:** Mr. Rach reminded everyone that February is Black History Month and as is customary City Council will present a special program. Mr. Rach stated he is accepting suggestions for topics and speakers.

**Finance Committee:** Mrs. Pardee stated that once a new Finance Director is appointed and acclimated a committee meeting will be scheduled to review the final financial numbers for 2016 and compare with previous years.

Mrs. Pardee noted that when the City was without a Finance Director the Mayor had appointed an interim director and asked Mayor Infeld if she felt this wasn’t necessary this time.

Mayor Infeld said currently she doesn’t have ability but that she felt secure in the City’s financial operations. The Assistant Finance Director is in the office every day; internal controls that have been in place for many years and Mr. Heiser is helping out.

**Governmental Affairs Committee:** Mrs. Weiss reported that the committee meeting will be meeting on January 4, 2017 at 7pm.

**Recreation Committee:** Mrs. Cameron stated she would like to schedule a meeting for the month of February.

**Service/Utilities Committee:** Mr. Sims requested a meeting be scheduled for early February.

There were no other committee reports.

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

There being no further business, the meeting was adjourned.

---

Susan K. Infeld, Mayor

Kelly M. Thomas, Clerk of Council