Mayor Infeld called the regular meeting to order at 7:35 p.m.

Roll Call:

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

Absent:  Mr. Phillip Ertel  

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

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

Pledge of Allegiance

Approval of Minutes

Minutes from Council meeting August 17, 2015

Mayor Infeld provided written corrections to the August 17 minutes.

Mr. Sims asked that the minutes from August 17 be tabled until the next meeting.

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS to table the approval of the Council minutes of August 17 until the next meeting. On Roll call all voted “aye.”

Minutes from Council meeting August 25, 2015

There were no corrections to the minutes from August 25, 2015.

MOTION BY MRS. ZUCKER, SECONDED BY MR. SIMS to approve the Council minutes of August 25, 2015 as presented. On Roll call all voted “aye.”

Minutes from Council meeting September 8, 2015

There were no corrections to the minutes from September 8, 2015.

MOTION BY MR. SIMS, SECONDED BY MRS. ZUCKER to approve the Council minutes of September 8, 2015 as presented. On Roll call all voted “aye.”

Minutes from Council meeting September 21, 2015

Mayor Infeld made the following corrections:

- Corrected the spelling of “mischief” under Comments from Audience 2nd paragraph, 2nd to last word
- Under Agenda item A add a coma after the word square and insert the word “be” between resident and appointed.

There were no corrections to the minutes from September 21, 2015.

MOTION BY MR. SIMS, SECONDED BY MRS. ZUCKER to approval the Council minutes of September 21, 2015 as corrected. On Roll call all voted “aye.”
Comments from Audience

There were no comments from the audience.

Mayor’s Report to Community

- John Carroll University will be conducting their annual community Thanksgiving Food Drive for Fatima Family Center.
- Construction for the new Community Park is underway.

Agenda Items:

A. Motion to approve entering into agreement with ADP for payroll processing

Mrs. Meredith Parrilla from ADP was present.

Mr. Heiser stated that there were several reasons necessitating him to explore outsourcing the City’s payroll some of which are; the affordable care act and efficiently.

Mr. McConville, City Law Director noted that the Affordable Care Act (ACA) reporting is somewhat intensive and many payroll companies have the data to enable them to complete the required reporting.

Mrs. Meredith Parrilla informed Council that met with Mr. Heiser for a discovery meeting to find out how the City conducts payroll, what software is or is not being used. Mrs. Meredith Parrilla added that the 1094C and the 1095C filings for the Affordable Care Act are mandatory for any business with over 50 employees. Businesses needs to be able to provide documentation that employees are offered affordable health care.

Mr. Sims asked if there were two components to the Affordable Care Act that being workforce and payroll.

Mrs. Parrilla replied that workforce currently is what the software is called; whether it is payroll, 401k, background checks. Mrs. Parilla noted that she presented Mr. Heiser with 2.5 pieces; payroll and the human resources (HR) benefits portion which includes the ACA filings.

Mr. Sims asked in addition to filing the necessary forms, what else is involved in addressing the Affordable Care Act or the City’s payroll system.

Mrs. Parrilla stated in regards to the ACA specifically ADP would be able to completely automate the process and take the liability away from the City. ADP’s job is to keep the City in compliance.

Mr. Sims asked if half is for what would be the benefits piece and the other half is for the processing piece and what the one-time implementation cost was for.

Mrs. Parrilla replied yes and no; the payroll portion is about half and the benefits administration is the other half (includes a ACA). Mrs. Parrilla noted that there would be no contract between the City and ADP, so the City would be free to walk away from ADP at anytime. ADP will have a service team dedicated to University Heights. The initial set up includes the implementation of the City’s payroll information for each employee, this can take up to 3 to 4 weeks to complete.

Mr. Heiser added that if the City decides to switch and outsource payroll then the City’s current program cost will be eliminated. Mr. Heiser noted that ADP has a free app so the Finance Department would no longer hand out paper payroll statements. All employees would have access to the payroll records via the app.

Mrs. Cameron asked if government entities could also be assessed a penalty for non-compliance.

Mrs. Parrilla replied yes and that there are two basic penalties and the small one is $300 per employee.
Mr. Wiseman asked Mr. Heiser if he had calculated the time and dollars savings by outsourcing payroll.

Mr. Heiser stated that he was still waiting to get a price reduction on what the SSI software reduction will be to the City so he doesn’t have a figure on that. Mr. Heiser noted that this would be a significant savings with both time and dollars.

Mayor Infeld reiterated that Mr. Heiser is reviewing all options. This is on the agenda in the event the City moves forward with ADP we would be able to get the program up and functioning by a certain time period.

**MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN approving entering into agreement with ADP for payroll processing. On roll call, all voted “aye.”**

**B. Motion to approve entering into agreement with James G. Zupka, C.P.A. for audit reporting 2015 through 2018.**

Mr. Heiser he still needs the rates but the State has already sign off on the use of Zupka as the Auditor for the next three (3) years and noted that there is an increase of 3% per year.

Mrs. Pardee commented that in reviewing the contract on page 3, paragraph 1 that states “we wish to emphasize that our services do not include an audit of the financial statements in accordance generally accepted auditing standards, nor expression to give a fair presentation.

Mrs. Pardee asked Mr. Heiser if Zupka is just creating a financial statement and bring a gaap conversion or will they actually be doing the financial audit.

Mr. Heiser replied that they bring the financial audit.

Mayor Infeld referred to the letter on page 3 that there are 2 audits; the financial and the gaap conversion.

Mr. Heiser explained that the City doesn’t do a full comprehensive annual financial report (CAFR) which like Cleveland Heights does would be three times the cost because it brings in the School District data, employment data, Mr. Heiser stated he didn’t see the use in using city tax dollars paying for this. Conducting a full CAFR is not required so the city does what is considered an other than gaap conversion. Besides the gaap conversion the auditor conducts a random sampling and audits all revenue sources.

Mr. Sims noted that Zupka has done the City’s audit for several consecutive years and asked if the State was in acceptance with the city using them again.

Mayor Infeld replied that the State chooses who the City uses to conduct their audits and Zupka was the State’s choice.

Mr. Wiseman stated that there is no other choice than choosing Zupka to audit the City’s books.

Mayor answered that Mr. Wiseman was correct.

**MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON approving entering into agreement with James G. Zupka, C.P.A. for the City’s audit reporting 2015 through 2018. On roll call, all voted “aye.”**

**C. Ordinance 2015-41 Authorizing the Payment in the Amount of One Hundred Nineteen Thousand, Four Hundred Sixty Dollars ($119,460) to the Northern Ohio Risk Management Association Self-Insurance Pool, Inc. (N.O.R.M.A.) (on Emergency).**

Mr. Heiser reported that this is a customary part of N.O.R.M.A. and it is for a period of 4 years. There are eleven cities in this self-insurance some of which are South Euclid, Solon, University Heights pays the first $600,000 of claims. Rates are flat for this year. The --- meets quarterly.
Ms. English noted that the written dollar amounts within the body of the Ordinance don’t match the numeric dollar amount. The numeric dollar amounts are correct.

Mr. Heiser thanked Ms. English and noted he would make that correction to the Ordinance prior to signage.

MOTION BY MS. ENGLISH, SECONDED BY MR. SIMS approving Ordinance 2015-41 Authorizing the Payment in the Amount of One Hundred Nineteen Thousand, Four Hundred Sixty Dollars ($119,460) to the Northern Ohio Risk Management Association Self-Insurance Pool, Inc. (NORMA) as amended and on emergency. On roll call on suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

D. Ordinance 2015-42 Enacting Chapter 891 of the Codified Ordinances of the City of University Heights Regarding Municipal Income Tax (on first reading).

Mr. McConville stated that amended Ordinance has some very specific changes or slight adjustments that the State Legislator mandated through the model Ordinance that the City already has on the books.

It was noted that the City needs to approval the legislation by the first meeting in November.

Ordinance 2015-41 was placed on first reading.

E. Motion to accept bid results from Infinity Paving Company for the rehabilitation of four (4) Tennis Courts at Purvis Park in the amount of $276,961.72.

Mr. Ciuni reported that bids for the rehabilitation of four (4) Tennis Courts at Purvis Park were accepted and opened on September 25, 2015. A total of two bids were received; Infinity Paving Company in the amount of $276,961.72 and Chagrin Valley Paving Inc. $337,322.50. Mr. Ciuni recommended the City accept the bid from Infinity Paving Company as the lowest and best bid.

Mr. Ciuni added that this project will be partially paid with the $142,690 grant that the City received from ODNR (Ohio Development of Natural Resources).

Mr. Wiseman asked what else the grant could be used for and how long will the four tennis courts last once rehabilitation is completed.

Mr. Ciuni replied the grant could be used for roads, parking lots, etc. The courts should last between 35 and 40 years.

MOTION BY MR. ZUCKER, SECONDED BY MR. CAMERON accepting the bid results from Infinity Paving Company as the lowest and best bid for the rehabilitation of four (4) Tennis Courts at Purvis Park in the amount of $276,961.72. On roll call, all voted “aye.”

F. Motion to accept bid results from Vancuren Services for the 2015-1 Tree Pruning and Removal Program in a amount not to exceed $71,638.00

Mr. Pokorny explained that the 2015 Tree Pruning and Removal Program includes the northwestern section of University Heights and that the bid included close to 700 trees. Two bids were received VanCuren Services $71,638 and Ardmore Tree Service of Euclid $145,720.

Mr. Pokorny recommended that the VanCuren Services bid of $71,638 be accepted as the lowest and best bid. Mr. Pokorny added that VanCuren has completed work for the City with no problems.

Mr. Sims asked Mr. Pokorny to explain the process of decided which trees should be removed or pruned. As well as, who the City’s arborist is and how did this year price compare to last year.

Mr. Pokorny replied that Mr. Thomas Morgan has been the City’s arborist for the last 3 to 4 years. The process of deciding which trees need to be pruned or removed begins with Mr. Morgan walking the targeted area to inspect and grade each tree; Mr. Pokorny noted that he also
inspects the trees. This year’s cost is 50% to 60% higher than last year, but that is due to last year’s contractor Vallo underbidding their cost. Mr. Pokorny noted that Vallo did not bid this year.

Mr. Wiseman asked when will the project begin and end.

Mr. Pokorny replied that work can begin 10 days after notice to proceed is issued and will last until March 2016.

MOTION BY MRS. ZUCKER, SECONDED BY MS. ENGLISH to accept bid results from Vancuren Services for the 2015-1 Tree Pruning and Removal Program in a amount not to exceed $71,638.00 as the lowest and best bid. On roll call, all voted “aye.”

G. Motion to accept bid results from Nate Johnson’s Landscaping Inc. of Mentor for the 2015-2 Tree Fall Planting Program in a amount not to exceed $33,213.00

Mr. Pokorny stated that these will be new young trees with a diameter of approximately 2” and will be trees that replace the trees that were previously removed as well as any added trees from resident request. The program includes that planting of 144 trees.

Mr. Pokorny noted that Nate Johnson’s Landscaping has planted trees for the City for the last 2 years with an adequate job performance.

Mrs. Zucker asked if any of the trees died or if they were healthy and remained healthy. The trees that die, is it due to salt or root issues. The trees that die, is it due to salt or root issues.

Mr. Pokorny said that the trees were all healthy trees when they were planted and over the past two years only about 12 to 15 trees died. But that Johnson’s Landscaping came back out and replaced them. Mr. Pokorny stated that he inspects the trees at the 1 year guarantee mark and the contractor is then provided with a list of trees that have died or are no longer adequate. The trees can die from a number of problems like; insects, an unhealthy tree to begin with, but the most common cause is the lack of watering.

Mrs. Zucker asked if the City needed to educate the residents more about the care of the trees.

Mr. Pokorny said no, because each homeowner is given information on how to water the trees and the city provides the gator bags at the base of the trees to with the watering.

Mr. Wiseman noted that 1.5 to 2 years ago trees were planted on Baintree and that the trees still have the wires that are tied into the ground. Is there a point in which the wires will be removed? Mr. Pokorny replied that the contractor is not required to remove the wire and that the City will remove them once the tree is stable enough.

Mr. Sims stated that he believed that this was one of the City’s better programs and asked if the City made assessments of the trees and considered having a more mature tree program.

Mr. Pokorny replied the all trees are inspected and evaluated but that the City can’t plant much larger trees because of the tree’s ball size and weight.

Mrs. Cameron asked if any trees are being lost to vandalism.

MOTION BY MR. SIMS, SECONDED BY MRS. ZUCKER to accept bid results from Nate Johnson’s Landscaping Inc. of Mentor for the 2015-2 Tree Fall Planting Program in a amount not to exceed $33,213.00 as the lowest and best bid. On roll call, all vote “aye.”

H. Motion to accept bid results from Gibson Machinery, LLC for the purchase of a Reinforced Rubber Track, Four-Cylinder Diesel Sidewalk Plow Machine in the amount of $109,215.00

Mr. Pokorny reported that this plow will replace the plow that went out of service last winter. The expense of replacing that plow outweighed the cost of the repairs. Mr. Pokorny recommended the approval of the purchased from Gibson Machinery, LLC as the lowest and
best bid.

MOTION BY MR. WISEMAN, SECONDED BY MRS. ZUCKER to accept bid results from Gibson Machinery, LLC for the purchase of a Reinforced Rubber Track, Four-Cylinder Diesel Sidewalk Plow Machine in the amount of $109,215.00 as the lowest and best bid. On roll call, all voted “aye.”

I. 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 for an executive session.

Directors’ Reports

Finance Director Larry Heiser reported that he will still be looking at other vendors for the City to use for payroll.

Police Chief - Chief Hammett had no report. Mrs. Cameron asked for an update on the possibility of working with the City’s Prosecutor to help the Police Department by giving the nuisance ordinance with more teeth.

Mr. McConville stated he spoke to the City’s Prosecutor, Mr. Doyle and Mr. Doyle assured Mr. McConville that everything that can be done within the constraints of the legal laws is being done and that he is well aware of the situation.

Chief Hammett added that over the 12 month period, abatements letters have to the various parties and the Ordinances are being enforced when necessary.

Mrs. Cameron asked if persons are fined for repeated calls.

Chief Hammett replied yes.

Mr. Sims asked the Chief if he felt it would help to create a neighborhood watch program.

Chief Hammett responded that neighborhood watches are always good to have and that he would more than glad to work with the neighborhood.

Mr. Sims asked about the visibility of police in the community and if anything can be done to beef it up.

Chief Hammett said some sections of the city are please with the level of police visibility, but the department is constantly monitoring the statistics of increased traffic in neighborhoods especially during the daytime when residents may not be home. If the Department can provide addition police presence in a particular neighborhood for a certain amount of time it is done.

Mayor Infeld added that the City has a neighborhood watch program and added that the police are out in the community in both marked and unmarked vehicles.

Mr. Sims thanked Mayor Infeld for her additional comment but noted that he felt that it was a little discounting in the concern that he was raising. Mr. Sims stated he didn’t see any harm in trying to figure out a way in which Council can complement and build on what is done so that the City does not become a target. Mr. Sims said he didn’t think it was the residents of the community that are the problem but that the City is targeted by outside of the community. If there is already a program related to street/block a watch maybe that is something we want to remind the resident about and encourage them to consider the possibility of doing something like that; anything that would get in the way of someone coming in and disrupting the community. Mr. Sims commended the Police Department, Mayor Infeld and her administration. Mr. Sims continued to say in his humble opinion to discourage a higher level of activity, so again is there anything that can be done to increase the visibility and to make more pronounced the opportunities for residents to organize and make sure that they are participating in the process of protecting their street and their own neighborhood.
Chief Hammett stated his encouragement for community involvement noting that it is the very essence of community policing. Residents are encouraged to call.

Mayor Infeld noted that the Administration held a safety forum for the community last year at John Carroll University.

Mr. Sims asked how the interaction was with Heights High School.

Chief Hammett responded that things are going good with the high school and that there have been no reoccurring incidents.

Mrs. Zucker asked how the traffic patterns were working out.

Chief Hammett stated additional signage was added to help the traffic proceed more smoothly.

Mrs. Cameron asked what the benefit was in giving juveniles jay walking tickets.

Chief Hammett replied that no one wants to see anyone get hurt and that was the most effective way to get the students attention to follow the rules of crossing the streets. The need to write tickets for jay walking has diminished.

**Service Director** Jeffrey Pokorny reported that work has started on the new community park. The contractors are working on the underground utilities and drain pipes that will be under the walkways. There will be a road closer of Fenwick from Silsby to Faversham and at the intersection of Northwood for approximately 6 weeks from October 19 until November 30.

Mr. Sims noted and stated he appreciated the listing of sub contractors Council received. In light of a previous question asked Mr. Sims had raised about the participation of women or minorities as sub-contractors. Does the city know what participation if any is on this project?

Mr. Pokorny replied that the city does not know because that information came through the architect and haven’t gotten back to them to do additional research.

Mr. Sims stated he was still curious and will be until he gets the answer. Mr. Sims also asked Mr. Pokorny what mechanism is in place so that the City does not get hit with a change order for the construction of the new park.

Mr. Pokorny stated that both he and the representative from Braun and Steidl visit the site on a daily bases and that the contractor has to file an RIF with any changes, if there are cost to those changes then the contractor also has also provide the paperwork for the change.

Mr. Wiseman asked in regards to the road closer will the area residents be affected.

Mr. Pokorny said the affected streets are Silsby and Faversham as they will have to drive around barricades. Once the exact dates are known the affected households will be notified via signage and letters will be delivered to each home.

Mr. Pokorny informed everyone that the community paper shredding will be on Friday, October 30 and Saturday, October 31 from 9am until 1pm. Curbside leaf collection will begin around October 15.

**Community Development** Patrick Grogan informed everyone that a Public Hearing was held just prior to the Council meeting for the City’s CDGB grant application for the re-pavement and reconstruction of catch basins on Cedarbrook, Brockway and South Taylor Roads.

**Standing Committee Reports:**

**Building Committee:** Mr. Sims reported that there will be a drug court held at John Carroll and encourage council members to attend. Mr. Sims also reminded everyone about the upcoming Building Committee meeting.

**Civic Information:** Ms. English reported that the Civic Information Committee meeting will be on Monday, November 9 at 7pm. Ms. English asked that she be provided with data from Senior Transportation Consortium (STC) regarding the use of transportation for 2015 so that the
committee can analysis it in preparation to making recommendations for next year’s contract.

**Finance Committee:** Mrs. Pardee reminder everyone that there will be a Joint Finance Committee/Finance Advisory Committee on Thursday, October 15 at 7pm. Mrs. Pardee also informed everyone about the timeline for the process for appointing the seventh member of Council. By October 15th there should be a press release out because Council would like to invite the largest pool of interested community residents as possible. Letters of interest/resumes will be accepted from November 5 until the close of the business day at 4:30 on November 19.

**Service and Utilities:** Mrs. Zucker asked that Service Department plow truck and sidewalk plow replacement schedule be removed from the standing committee reports on the second page of the council agenda.

There were no other standing committee reports.

There being no further business to discuss, the meeting was adjourned at 9:28pm.

**MOTION BY MR. WISEMAN, SECONDED BY MS. ENGLISH 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