

**MINUTES COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
MARCH 5, 2018**

A pre-meeting reception was held at 6:30pm in honor of Police Chief Steven Hammett retirement.

Mayor Michael Dylan Brennan called the regular meeting to order at 7:03p.m.

Roll Call:

Present: Mrs. Susan Pardee
Mrs. Pamela Cameron (7:05)
Mr. Phillip Ertel
Mr. John Rach
Mr. Steven Sims
Mrs. Michele Weiss
Mr. Mark Wiseman

Also, Present: Law Director Luke McConville
Finance Director William Sheehan III
Clerk of Council Kelly M. Thomas
Police Chief Steven Hammett
Fire Chief Robert Perko
Service Superintendent Jeffrey Pokorny
Building Commissioner James McReynolds

Approval of Minutes from Regular Meeting February 20, 2018

There were no corrections or additions to the Council minutes from February 20, 2018.

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS to approve the Council minutes from February 20, 2018. On roll call, all voted "aye."

Comments from Audience

Mr. Paul Miller, Charney Road was present to raise his many concerns and why he was not in favor of allowing backyard chickens in University Heights. Mr. Miller stated that 5% of chickens are born roosters and you can't tell at birth. Citing cases from the CDC and Poultry Mr. Miller spoke about how diseases can be transmitted to infants, elderly persons with reduced immune systems, etc., and the higher level of noise that is generated when laying eggs. Beachwood requires a minimum of 1.1 acres of land and a distance of 200ft ft. from houses.

Mr. Mark Harris – 3412 Superior Park Drive, Cleveland Heights came to talk about the new Kiwanis Club of the Heights. The club is for adults and children with disabilities and before the end of 2018 there will be service clubs in 9 different area schools. The clubs provide students the opportunity to help conduct community service. Some of the community projects are: earth day clean-up, residential donate-a-bag (to sponsor cleanups in the local parks), etc. The Kiwanis is looking for persons to join as members or as volunteers. There will be a meeting on March 23 at 6:30pm at O’Rielly’s (Cedar Center South).

Mr. and Mrs. Francis were present to speak on residents being able to keep chickens in their backyards. Stating that it was rare for people to contract diseases from chickens. Mrs. Francis added that the City of Lakewood requires residents to take a class on the care and handling of chickens prior to them receiving a Special Permit.

There were no audience comments

Mayor’s Reports and Communications to Community

Mayor Michael Dylan Brennan provided the following updates:

- Joint Finance and Finance Advisory Committee meeting on March 6 at 6:30pm in Council Chambers to review the 2018 Budget with a presentation on the Mayor’s budgetary priorities for the remainder of 2018 and beyond to better serve the community with strategic additions to the current City Administration. Those additional employees in the area of Economic Development, Civic Engagement and Communications. There will be another joint finance committee meeting on March 12th if needed.
- The Planning Commission will meet on March 13th.

- The City's new Rebranding Steering Committee will consist of approx. 7 to 9 people. These people will be responsible for advising the process, making the decisions and advocating for the determined solution.
- The Communications and Development Commission will meet on March 13th at 7pm in the conference room to discuss plans to improve how the City communicates with the public, i.e. the "garbage gazette".
- The Service Department will be collecting hazardous waste materials on Friday (8am to 3:30pm) and Saturday March 16, 2018 (9am – 1pm).
- The Memorial Day Parade met last week and the next meeting is on March 20 and 6:30pm
- Met with Beachwood's officials: Mayor, Councilman and resident to discuss their concerns about Swenson's. Discussion topics were limiting the number of hours for parking on Fenway during the morning hours, informed them that the no truck sign had been removed and Beachwood will look at sponsoring some additional plantings to screen Swenson's from the Beachwood houses.
- "Solar United Neighbors" A Cuyahoga County Solar co-op will meet on Wed., March 14, 2018 in the University Heights City Council Chambers from 6:30pm – 8:30pm.

Agenda Items:

A. Resolution 2018-16 Honoring Police Chief Steven Hammett

Mayor Michael Dylan Brennan read Resolution 2018-16 which honored Police Chief Hammett's years of Service to University Heights.

Vice-Mayor Pardee thanked Chief Hammett for his professionalism and handling his position with heart and warmth.

Mrs. Cameron also provided her personal thank you to Chief Hammett for taking time to mentor youth in the City.

Mr. Wiseman added that Chief Hammett's leadership will be missed.

Mr. Sims spoke to Chief Hammett's leadership and responsiveness adding that he will be missed by the Administration and more importantly by the residents.

Mayor Michael Dylan Brennan thanked Chief Hammett for working with him during even though it has only been for a brief period of time.

Chief Hammett stated he will miss working with City Council and that he believes that they shared the same dedication for the City in wanting to see it grow and flourish. Chief added his enjoyment in also working with the Administration, other City Directors, co-workers and residents.

Mayor Michael Dylan Brennan stated that there are two original copies of the Resolution; one copy for Chief Hammett and the other for the permanent record.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON for the passage of Resolution 2018-16 Honoring Police Chief Steven Hammett. On roll call, all voted "aye."

B. Ordinance 2018-14 Amending Codified Ordinance Section 1250.02 of the Planning and Zoning Code Entitled "Permitted Uses" To Permit Chicken Coops in a U-1 District upon issuance of a Special Use Permit (on first reading)

Mr. Wiseman voiced his frustration in the questions regarding concerns for health and disease in allowing chickens in University Heights. Mr. Wiseman stated that he spoke with the County Health Department and that there had only been 4 complaints in the last 12 years regarding chickens. Noting Mrs. Francis had provided about 5 or 6 presentations and information to Council about backyard chickens. This would only be for one year to see how it would look and go to allowing backyard chickens. The evidence is clear and Council has placed a lot of deliberate attention into deciding whether or not to allow back yard chickens, this is something that should pass without reservation.

Mr. Sims stated that he understood Mr. Wiseman's frustration but noted he did not feel the same way as Mr. Wiseman. Mr. Sims said that he had some reservations and concerns in allowing chickens in University Heights in that it would also only benefit a handful of residents and it could create problems for a host of residents. Mr. Sims stated he was not just concerned about the possibility that the chickens themselves may transmit some disease but he also believed that if this were approved and is not done correctly then it will be a great opportunity that it will attract vermin and critters and that is not wanted in this community.

A lot of the cities that have been highlighted are a lot different from University Heights. University Heights is a much tighter (condensed) city than the surrounding cities which allow chickens. Mr. Sims questioned where and how the chicken waste would be collected in conjunction with the neighboring houses where the chickens aren't housed. Mr. Sims stated he didn't see any compelling reason to allow chickens and added that is not an enhancement for University Heights, nor is it in the character of which University Heights should be known. In response to some of the concerns that have been raised; if chickens were to be allowed Mr. Sims said, he would request that the homeowner go through training on how to clean and handle chickens in the backyard to minimize any possible threat to the community. Although Mrs. Francis has made some very good presentations and has a very responsible approach to having backyard chickens, but what the city is proposing to do would be to institutionalizing and every person may not come to the table in the same manner as Mrs. Francis. Mr. Sims stated that personally he was not in favor of allowing chickens in University Heights.

Mr. Ertel said he would want the process of allowing chickens to be centered around the safety of residents and that it be regulated so that there would be annual inspections for the sanitary and safety conditions.

Mr. Rach noted that all the neighboring cities have some sort of allowance for chickens and that University Heights could have the allowance of chickens be regulated that the homeowner comes before the Board of Zoning for the permit. This would allow the City to see each applicant on a one-on-one basis so that the chicken coups would be inspected annually.

Mrs. Weiss stated that this would be on a trail bases for 1 year and that the applicant would have to appear before the BZA. Mrs. Weiss added that she would like to see that the City have Metro park training as a requirement.

Mr. McConville clarified what the legal advice was with respect to the Zoning Ordinance. Under the City's code in order for Council to pass a zoning ordinance that ordinance must first be considered by Planning Commission. Mr. McConville stated it was his recommendation to the Mayor that on both the zoning ordinance and the tandem regulations (even though they are not part of any zoning code) be sent to the Planning Commission for the review so that Planning Commission could make comment on both the zoning ordinance as well as the regulation ordinance. Any recommendation that Planning Commission makes is just that, it is a recommendation, it is a recommendation it is not something that Council would be bound by.

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to table Ordinance 2018-14 Amending Codified Ordinance Section 1250.02 of the Planning and Zoning Code Entitled "Permitted Uses" To Permit Chicken Coops in a U-1 District upon issuance of a Special Use Permit until the next City Council meeting and then place it on Emergency Passage. On roll call, all voted "aye."

- C. **Ordinance 2018-15 Enacting Codified Ordinance Section 618.25 Entitled "Keeping of Chickens" to Establish Regulations for the Keeping of Chickens, and Amending Codified Ordinance Sections 618.18 Entitled "Number of Animals Limited" and 618.20 Entitled "Proximity of Dwellings," for Consistency with the Regulations for Keeping of Chickens**

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS to table Ordinance 2018-15 Enacting Codified Ordinance Section 618.25 Entitled "Keeping of Chickens" to Establish Regulations for the Keeping of Chickens, and Amending Codified Ordinance Sections 618.18 Entitled "Number of Animals Limited" and 618.20 Entitled "Proximity of Dwellings," for Consistency with the Regulations for Keeping of Chickens until the next City Council meeting and then place it on Emergency Passage. On roll call, all voted "aye."

- D. **Motion Approving the Purchase of Pool Chemicals from SAL Chemicals for the 2018 Summer Season**

Service Superintendent Jeffrey Pokorny reported that this represents the annual purchase of pool chemicals for the upcoming summer season. Mr. Pokorny recommended that the city purchase the pool chemicals from SAL Chemicals

Noting the increase in cost over last year Mr. Sims asked what was the reason for the increase.

Mr. Pokorny replied that last year the city used SAL Chemicals but because there was an increase of 85% for the cost of trucking the chemicals the cost of the chloride materials also increased.

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON to approve the purchase of pool chemicals from SAL Chemicals for the 2018 Summer Season. On roll call, all voted "aye."

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

Mayor Michael Dylan Brennan noted the need to hold executive session for personnel matters.

MOTION BY MRS CAMERON, SECONDED BY MR WISEMAN to hold an executive session immediately following this regular meeting for the purpose of discussing personnel matters. On roll call, all voted "aye."

Directors' Reports

Finance Director William Sheehan reported that the computer server would be installed on Thursday and Friday.

Law Director Luke McConville stated that he was working on legislation regarding the City Point of Sale home inspections. Mr. McConville also noted that he had received a request from someone to operate a three-wheeled vehicle to sell ice cream bike in the City. Mr. McConville said that the City has an ordinance that prohibits this and food trucks but that Council may want to place this in Committee to look at the safety aspects of allowing this.

Mr. Wiseman noted that in 2013 Council passed legislation prohibiting ice cream trucks in the City.

Police Chief Steven Hammett reported that the traffic box located at Cedar and South Green has hit by a car and will need to be replaced. He was invited to participate in Roxboro Elementary School's Black History Program, noting that the program was done very well and that the schools are under-rated and are producing quality students. Chief Hammett again thanked members of Council for their kind words.

Fire Chief Robert Perko reported that the department had 141 incident calls; 91 EMS runs (including the birth of a new born) and 12 Fire calls. The department is in the need of kitchen repairs because a water valve under the sink is frozen and in bad condition. The department is also working with the John Carroll University Police and EMS volunteer students and hope to bring back some of the previous programs.

Service Department Jeffrey Pokorny reported that the water main breaks have been fixed but that the holes will be repaired once the weather breaks.

Mr. Sims noted that there was at Meadowbrook and Allison needs to be patched.

Mr. Pokorny replied that that has to be a part of the paving program because it is concrete.

Mr. Ciuni noted that Cleveland Heights will be paving their portion of that section this year.

Building Department James McReynolds reported that Bellefaire will be on the Architectural Review Board March 15th agenda regarding constructing a new cottage. The department is researching these various topics: garbage pick-up (code sections: 1442.01; 1498.14(a)(b), 1478.11 (a)(b) and 1282.01); creating a sidewalk replacement program.

City Engineer Joseph Ciuni reported that the Silsby Road Resurfacing Project has a Contractor May 21 finish deadline.

Mr. Sims asked how quickly an assessment or evaluation of the chairlift can be made so that there will be sense of what opinions need to be pursued.

Mr. Ciuni replied that sometime in April.

Mr. Wiseman asked if there were any options for installing an elevator.

Mayor Michael Dylan Brennan said he located the previous report and that it would cost approx. \$600,000 to install an elevator.

There were no other Director reports.

Standing Committee Reports:

Building Committee: Mr. Wiseman said a meeting would be upcoming in March and they would discuss wheelchair accessibility along with other items.

Finance Committee: Mrs. Pardee provided that following Finance Committee meeting dates: March 6 at 6:30pm and March 12 if necessary.

Governmental Affair: Mrs. Weiss stated that the committee would hold a meeting in April to review the tax credit.

Safety Committee: Mr. Rach stated the committee would hold a meeting in March or early April to discuss gun control.

Service Committee: Mr. Sims noted that the Service Committee would meet at the first opportunity. The first topic would be to make sure there is a strong sense of what capital items are including in the 2018 budget.

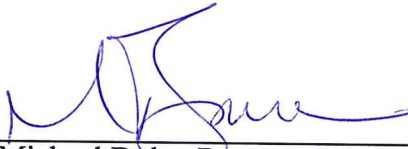
Committee of the Whole: Mrs. Pardee reported that City Council and the Mayor met for a retreat on February 26, 2018 from 5:30pm to 9:30pm. After discussing priorities for the City that were learned via campaigning and in meeting with residents as a group Council and Mayor Michael Dylan Brennan identified three broad categories: Economic Development, Housing and City Branding. Mrs. Pardee also noted that roads and safety were also listed. The board categories were broken down into priority areas with timing involved. Under housing: determined that there was an interest in looking at tax abatement for homes that have home improvements – this will be looked at by the Government Affairs Committee (the improvements would be abated); discussion about the Landbank and how to activate the City's landbank (protocol and purpose)– to be looked at by the Building Committee; Economic Development (the original contract with David Hartt will be looked at) to help with looking at zoning to determine how far the original work had gone; work will be starting with the new branding of the city with the help of "the Guide Studio" and the committee of residents that will soon be formed to work with Guide Studio. Finally, committee meetings will become fairly regular – committee meetings will now be held on second Monday of each month with one committee meeting at 7pm and one at 8pm (meetings will be for one hour) on a rotating basis. If more council committee meeting are needed the forth Tuesday will be looked at.

There were no other committee reports.


MOTION BY MR. RACH, SECONDED BY MR. WISEMAN to return to regular session. On roll call, all voted "aye."

MOTION BY MR. RACH, SECONDED BY MR. WISEMAN to adjourn the meeting. On roll call, all voted "aye."

There being no further business, the meeting was adjourned at 9:55pm.



Michael Dylan-Brennan, Mayor



Kelly M. Thomas, Clerk of Council

